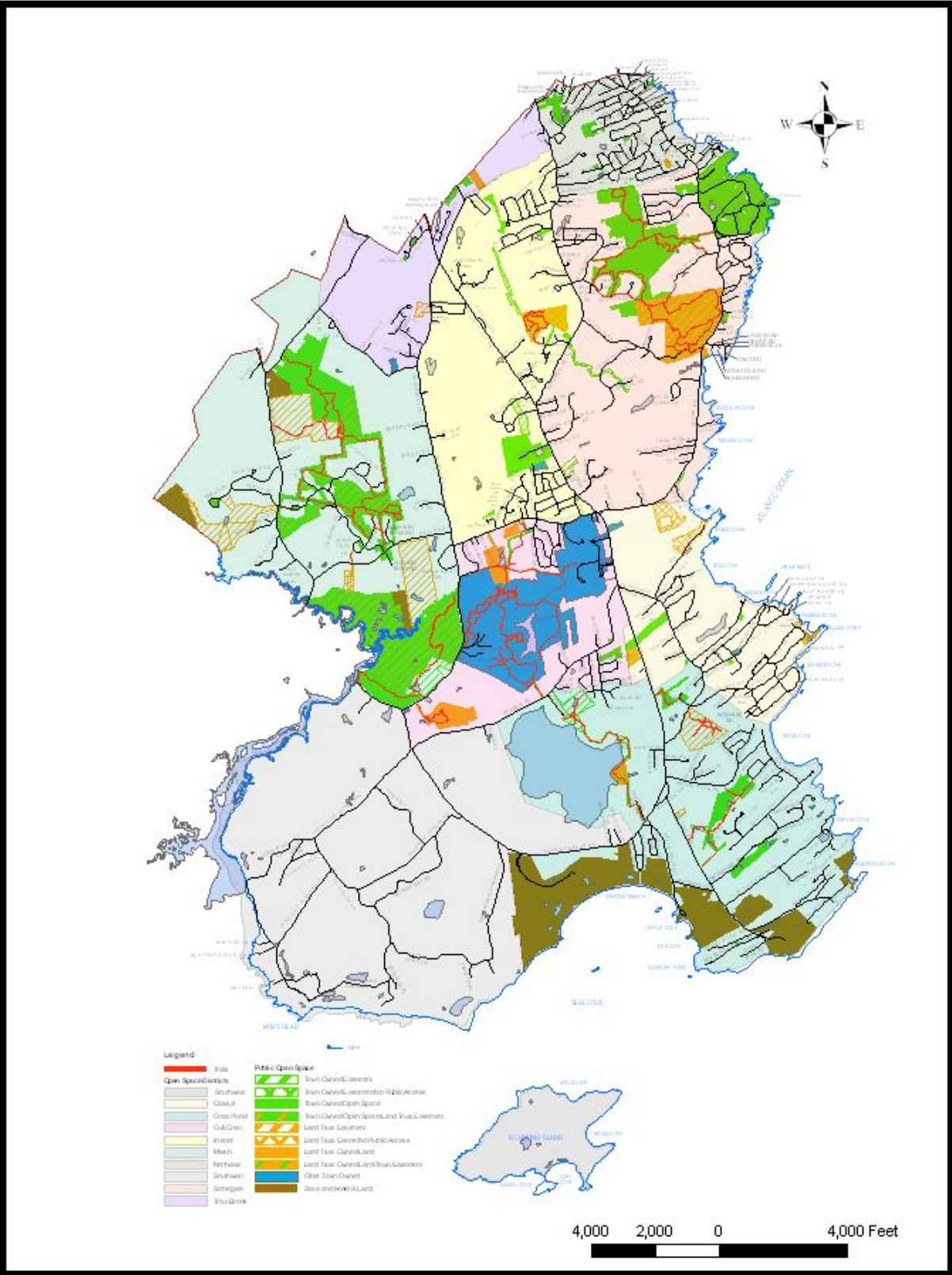


# Draft Management of Greenbelt and Open Space Plan 10/12/2011



- Legend**
- |                      |                                             |
|----------------------|---------------------------------------------|
| Trail                | Public Open Space                           |
| Open Space Districts | Town Owned Land                             |
| Southwest            | Town Owned Land with Public Access          |
| Coastal              | Town Owned Open Space                       |
| Great Pond           | Town Owned Open Space and Town Owned Land   |
| Gull Cove            | Land Trust - Open Space                     |
| Inland               | Land Trust - Open Space and Public Access   |
| Marsh                | Land Trust - Open Space                     |
| Northwest            | Land Trust - Open Space and Town Owned Land |
| Southwest            | Other Town Owned                            |
| Somers               | State and Federal Land                      |
| Trout Brook          |                                             |





1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28  
29  
30  
31  
32  
33  
34  
35  
36

Prepared by the  
**Open Space and Greenbelt Management Plan Committee**

- Dena DeSena, Chair
- Richard Bauman
- Marti Blair
- Garvan Donegan
- John Marchewka
- Zack Matzkin
- John Planinsek
- Jessica Sullivan, Town Council Liaison

**Cape Elizabeth Town Council**

- David S. Sherman, Jr., Chair
- Frank Governali
- Caitlin Jordan
- Sara W. Lennon
- Jessica L.Sullivan
- Anne E. Swift-Kayatta
- James Walsh

**Staff**

Maureen O’Meara, Town Planner  
Judy Colby-George, Spatial Alternatives

**Table of Contents**

6	<b>Executive Summary</b>	4
8	<b>I. Purpose and Vision Statement</b>	5
10	<b>II. Management Plan Land Inventory Description</b>	7
12	<b>III. Activity/Facility Chart</b>	9
14	<b>IV. Role of Responsible Parties</b>	14
16	<b>V. Management Policies</b>	17
18	Trail Conditions	17
19	Signage	18
20	Hours of Operation	20
21	Encroachments	20
22	Vegetation damage and Removal/Invasive Species	21
23	Rubbish, Litter, Sewerage and Animal Refuse	21
24	Work Alterations/Improvements to Public Land	22
25	Hunting, Fishing, and Trapping	22
26	Camping	24
27	Horses	24
28	Pets	24
29	Motorized vehicles	25
30	Fires and Alcohol	25
31	Social Gatherings/weddings	25
32	Closure of Open Space	26
33	Property Management for Specific Parcels	26
35	<b>VI. Property Maintenance</b>	27
37	<b>VII. Public Information</b>	30
39	<b>Appendices</b>	
40	<b>1. Management Plan Inventory</b>	31
41	Northeast	31
42	Stonegate	41

1	Interior	50
2	Trout Brook	60
3	Coastal	63
4	Great Pond	69
5	Gull Crest	85
6	Marsh	94
7	Southwest	106
8	<b>2. Transmittal to Town Council</b>	107

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28  
29  
30  
31  
32  
33  
34  
35  
36  
37  
38  
39  
40  
41  
42  
43

## Executive Summary

The Cape Elizabeth Town Council established the Open Space and Greenbelt Management Committee, comprised of the Conservation Commission and Town Council Liaison Jessica Sullivan, to prepare for Town Council consideration a management plan for town open space.

The Conservation Commission acts as an advisor to the Town Council on town owned open space where no specific group has otherwise been established (ex. Fort Williams Advisory Commission). In that role, the Conservation Commission is the steward of the Greenbelt Trail system and is guided by policies and decisions made by the Town Council. Increasingly, however, there have been gaps between the issue specific decisions made by the Town Council and broad responsibilities of the Conservation Commission. This management plan attempts to establish written open space use and management policies that have been adopted by the Town Council and can guide Conservation Commission stewardship.

This is a **management** plan, not a plan for future open space preservation. Many of the properties included in this plan do not have any restrictions that limit their use to open space. Nothing in this plan establishes restrictions on town owned land that do not already exist. Land without deed restrictions that is managed for open space today may be put to a different use by the Town Council at any time.

The open space inventory includes land and easements owned by the Town of Cape Elizabeth and selected Cape Elizabeth Land Trust properties that relate to town holdings. This plan is applicable *only* to Town of Cape Elizabeth holdings.

In order to advance management objectives, many town parcels have been assigned names in this plan. Naming eases reference to parcels for management purposes and improves the public's knowledge of land that is available for open space today. The names proposed in this plan are subject to Town Council approval and in no way are intended imply or suggest restrictions that do not otherwise already exist.

The most significant part of this plan are the management policies which establish town goals for a minimum standard for trails and state how Town open space should be used by the public. These policies are a starting point and will

- 1 likely be adjusted as we begin to use these policies and the needs of the town
- 2 evolve.

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28  
29  
30  
31  
32  
33  
34  
35  
36  
37  
38  
39  
40  
41  
42

# I. Purpose and Vision Statement

Citizens of Cape Elizabeth have long valued and supported efforts to protect, enhance and expand the Town's open spaces. In response, Town government has acquired ownership or easement rights to 923 acres of open space land that the Town is responsible for managing. This is over 10% of Cape Elizabeth's total land area. Recognizing the extent of the Town's open space holdings, the Town Council requested a plan for managing these properties inasmuch as "... the quantity of open space and the use of the greenbelt trails have progressed to the level where a management plan is needed to cohesively guide the Town in its stewardship responsibilities."

The plan presented in this document is a blueprint for safeguarding the essential character that defines Cape Elizabeth's open spaces. It identifies and describes parcels in the Town's open space inventory, references applicable laws and rules and sets forth usage, maintenance and public information policies.

The plan reflects current conditions and issues. To remain an effective and relevant management tool, we recommend a review and update at least every ten years. In addition, we expect that management policies may need to be adjusted once we have more experience with this open space management program or in response to unforeseen circumstances.

## Town Council Charge

The Town Council created the Open Space and Greenbelt Management Committee, comprised of the Conservation Commission and Town Council Liaison Jessica Sullivan in 2010 with the following charge:

To prepare for Town Council consideration a plan for management of Town open space and greenbelt trails, except for Fort Williams which already has an established management structure.

## Greenbelt Plan Vision Statement

In 2001, the Town of Cape Elizabeth adopted an updated Greenbelt Plan that included a long-term plan to establish a Town-wide system of greenbelt trails. The vision for that plan follows:



1 To establish a town-wide network of greenbelt trails by connecting the Town  
2 Center to important open spaces currently owned or to be acquired and all  
3 neighborhoods through a hub-and-spoke system. A greenbelt trail shall be  
4 located within a comfortable walking distance to all neighborhoods by creating,  
5 marking, mapping, and maintaining trails which provide legal public access, at  
6 least a portion of which will be handicapped accessible. Preserved open space  
7 and visually attractive areas of Cape Elizabeth will be made more accessible to  
8 the public by the greenbelt trails.  
9

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28  
29  
30  
31  
32  
33  
34  
35  
36  
37  
38  
39  
40  
41  
42

## II. Management Plan Land Inventory

The Town of Cape Elizabeth has a fee interest or easement over 923 acres of public open space. Many of the properties include Greenbelt Trails.

Fee interest means that the Town owns “the most complete set of private property land rights, including mineral rights below the surface, surface rights, and air rights<sup>1</sup>.” Holding a conservation easement over property that is owned by someone else means “the grant of a property right stipulating that the described land will remain in its natural state and precluding future or additional development.” In most cases, conservation easements include the right of the public to have access to the property. Legal public access as used in this plan means either that the Town owns the land in fee without restriction to public access or holds an easement over the property where the easement deed explicitly allows public access. There are some privately owned properties in Cape Elizabeth where the property owner tolerates members of the public using the land for open space recreation. These properties are not included in this inventory of legal public access because rights of the public to access the property are not included in a deed.

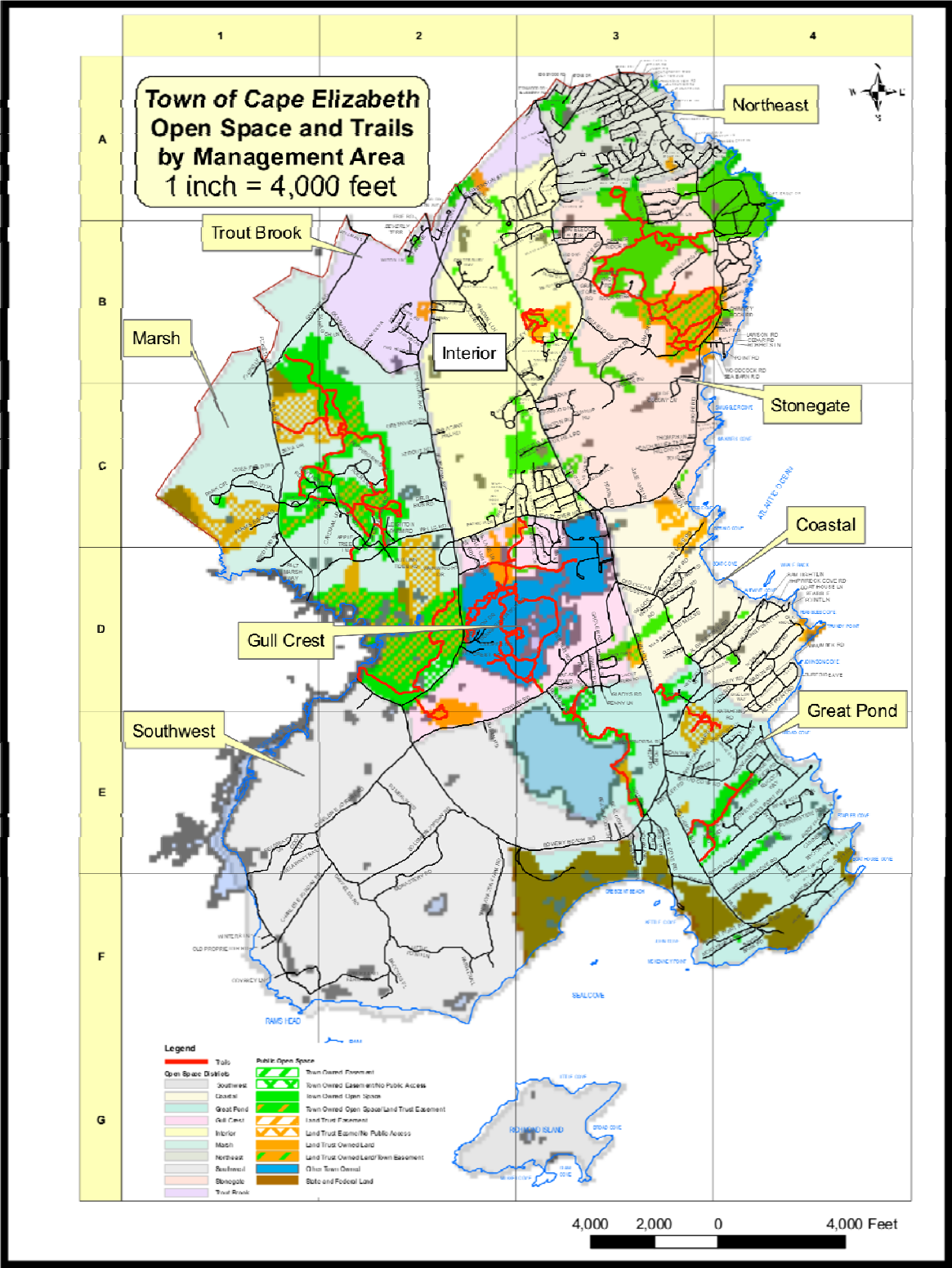
Some open space properties host a mix of uses on the property, including open space. For example, Gull Crest includes the Public Works Garage, recycling center, and sewer treatment plant, although most of the property is used for public open space.

Appendix 1 provides an inventory of land owned in fee by the Town, easements held by the Town, and publicly accessible linkages to Town owned open space. The Town owns many small, seemingly insignificant land parcels. Many of those parcels, however, are important as building blocks for greenbelt trail links. To understand the significance of parcels in the context of the Greenbelt Plan, the open space inventory is organized by area, as follows:

- Northeast
- Stonegate
- Interior
- Trout Brook
- Coastal
- Great Pond
- Gull Crest
- Marsh

1 Southwest

2<sup>1</sup>Moskowitz, Harvey S. and Lindbloom, Carl G., The New Illustrated Book of Development  
3Definitions, 1993, p. 113.<sup>2</sup> Ibid, p. 99.



Prepared by the Planning Office 6/28/2011

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28  
29  
30  
31  
32  
33  
34  
35  
36  
37  
38  
39  
40

### III. Activity/Facility Chart

Only open space parcels that are managed by the Town of Cape Elizabeth are included in the chart. Open spaces that are related to Town open spaces, but not managed by the Town, are included in the Management Plan inventory (Appendix 1), but are not included in this chart.

#### Primary/Secondary Open space

The chart groups Town open space as either primary (largest open spaces offering a wider range of uses) or secondary (smaller open spaces with value to the neighborhood or where public access is severely constrained by natural physical characteristics). Primary open spaces are listed first by geographic area, then secondary open spaces, also by geographic area.,

#### Management Groups

As the open space inventory was reviewed as part of this management plan, especially in the determination of what activities would be appropriate on a lot, individual lots with like characteristics were grouped together. The groups were useful because a set of guidelines for use and expectations of facilities available evolved for each group. All lots within the group can be managed similarly. These groups are described below and the management group of each lot is indicated on the Activity/Facility Chart.

#### *Group 1*

Group 1 is comprised of lots dominated by significant environmental features such as wetlands and water bodies. The primary benefit of these lots is as a habitat for wildlife and buffering adjacent neighborhoods. The town’s intent in these areas is essentially to leave the land in its natural state. A trail might be proposed at some point in the future, especially as a linkage to the greenbelt trail network, however, pedestrian activity and access is not encouraged at this time.

1            *Group 2*

2  
3            Group 2 is similar to group 1 in that little public improvements are found on  
4            these lots. They are primarily wooded and casual access by the public is  
5            anticipated, but trails may or may not be present.

6  
7            *Group 3*

8  
9            Group 3's most unique characteristic is that most of these lots are small. In many  
10            cases, they are also isolated from the greenbelt trail network. Nevertheless, they  
11            are valued by the adjacent neighborhood as a natural open space or a gathering  
12            space for neighborhood based events. For this reason, these lots are important,  
13            even though they often do not directly connect to the Greenbelt Trail network at  
14            this time.

15  
16            *Group 4*

17  
18            This group's most significant characteristic is the abundance of trails within these  
19            spaces. In some cases, the lot's sole purpose is to provide a trail link. In others,  
20            the trails wind through undeveloped woods and meadows that are primarily  
21            visited by trail users.

22  
23            *Group 5*

24  
25            This group is made up of the premier town open spaces, for the most part the  
26            largest lots which host a multiple of uses in addition to open space. Many of  
27            these lots offer parking for visitors who live out of walking range.

28  
29            How to Read the Chart

30  
31            The main use of this chart is to answer questions about what activities are  
32            allowed in a specific area. The chart should be read as follows:

33  
34            "Y" means that the activity is allowed. Visitors should be aware that while  
35            an activity may be allowed, it may not be recommended. For example,  
36            horse back riding is allowed in Loveitt Woods. Due to the uneven nature  
37            of the ground and low hanging branches, however, horse back riding may  
38            not be a good idea in Loveitt Woods.

39  
40            "N" means a use should not occur on this lot. For example, boating is not  
41            allowed in the Columbus Lot.

42  
43            **N** means a use is specifically prohibited by deed. For example,

1 snowmobiles are prohibited by deed in the Great Pond Condos easement.

2

3 Trail users should remember that the **Cape Elizabeth Greenbelt is a**  
 4 **multi-user trail system**, including but not limited to hiking, biking,  
 5 horseback riding, skiing and hunting, and should proceed accordingly  
 6 and with consideration for all users.

7

8 The last section of the chart summarizes the facilities that may be found at Town  
 9 open spaces. Overall, Town open space is rustic in nature and has few groomed  
 10 areas or convenience facilities.

11

12

PRIMARY OPEN SPACES The spaces below generally are the largest town open space areas offering a wider range of uses and facilities or are located in significant natural areas where public access is desired	Management Group		Size (in acres)	Boating	Dogs	Events	Hiking/Walking	Horseback riding	Hunting/Fishing	Ice Skating	Mountain Bikes	Snowmobiles (2)	Snowshoeing	Trapping(3)	X Country Skiing	ATHLETIC FIELD	BARBECUE	BOAT STORAGE	PARKING	PLAYGROUND	PICNIC FACILITIES	RESTROOMS	TRAILS
	Page Number																						
<b>Northeast Area</b>																							
Dyer Woods and Pedestrian Easements	2/4	35	5.4	N	Y	N	Y	N	N	N	Y	N	Y	N	Y	N	N	N	N	N	N	Y	
Cliff House Beach	3	39	0.3	Y	Y	Y	Y	N	Y	N	N	N	Y	N	N	N	N	N	N	N	N	N	
<b>Stonegate Area</b>																							
Fort Williams (4)(7)	5	45	97.2	Y	Y	Y	Y	Y	Y	Y	N	Y	Y	N	Y	Y	N	Y	Y	Y	Y	Y	
Stonegate Trails	5	49	86.6	N	Y	Y	Y	Y	Y	N	Y	N	Y	N	Y	Y	N	N	N	N	N	Y	
Loveitt Woods	5	44	18.0	N	Y	Y	Y	Y	Y	N	Y	N	Y	N	Y	Y	N	N	N	N	N	Y	
Plaisted Park (5)	5	46	3.5	N	Y	Y	Y	N	N	N	Y	N	Y	N	Y	Y	N	Y	Y	N	Y	N	
<b>Interior Area</b>																							
Lions Field (5)	5	56	25.0	N	Y	Y	Y	Y	Y	Y	Y	Y	N	Y	Y	Y	N	N	Y	N	N	Y	
Columbus Lot	3	53	1.0	N	Y	Y	Y	Y	Y	Y	Y	N	Y	N	N	Y	N	N	Y	N	N	N	
<b>Great Pond Area</b>																							
Broad Cove Trails	4	71	20.6	N	Y	Y	Y	Y	Y	Y	Y	N	Y	N	Y	Y	N	N	N	N	N	Y	
Great Pond Condos Easement	4	74	9.5	Y	Y	Y	Y	Y	Y	N	Y	N	Y	Y	Y	Y	N	N	N	N	N	Y	
Great Pond Sprague Easements (7)	4	77	6.6	Y	Y	Y	Y	Y	Y	Y	N	Y	N	Y	Y	N	N	Y	N	N	N	Y	
Great Pond Fenway Connector (7)	4	75	0.1	N	Y	N	Y	Y	N	N	Y	N	Y	N	Y	Y	N	N	N	N	N	Y	
Great Pond Golden Ridge Ped Esmt	4	72	0.4	N	Y	N	Y	Y	N	N	Y	N	Y	N	Y	N	N	N	N	N	N	Y	
Great Pond Jordan Pedestrian Esmt	4	76	0.5	Y	Y	N	Y	Y	Y	N	Y	Y	N	Y	Y	N	N	N	N	N	N	Y	
Two Lights Pond Pedestrian Esmt	4	80	1.7	N	Y	N	Y	N	N	N	Y	N	Y	N	Y	N	N	N	N	N	N	Y	
Two Lights Pillsbury Pedestrian Esmt	4	82	0.1	N	Y	N	Y	Y	N	N	Y	N	Y	N	Y	N	N	N	N	N	N	Y	
Two Lights St. Bart's Easement	4	83	1.7	Y	Y	Y	Y	N	Y	Y	Y	N	Y	N	Y	Y	N	N	N	N	N	Y	
Two Lights Sullivan Pedestrian Esmt	4	81	0.2	N	Y	N	Y	Y	N	N	Y	N	Y	N	Y	N	N	N	N	N	N	Y	
Whaleback Trails	4	84	5.2	N	Y	Y	Y	Y	Y	N	N	N	Y	N	Y	Y	N	N	N	N	N	Y	
<b>Gull Crest Area</b>																							
Gull Crest	5	88	177.0	N	Y	Y	Y	Y	Y	N	Y	Y	N	Y	Y	Y	N	N	Y	N	N	Y	
Gull Crest Fowler Rd Conn Ped Esmt	4	86	0.2	N	Y	N	Y	Y	N	N	Y	N	Y	N	Y	N	N	N	N	N	N	Y	
School Campus (6)	5	92	64.8	N	Y	Y	Y	Y	Y	N	Y	Y	N	Y	Y	Y	N	N	Y	Y	Y	Y	
<b>Marsh Area</b>																							
Cross Hill Trails	4	97	105.0	N	Y	Y	Y	Y	Y	N	Y	N	Y	Y	Y	N	N	N	N	N	N	Y	
Leighton Farms Trails	4	100	6.8	N	Y	Y	Y	Y	Y	N	Y	N	Y	Y	Y	N	N	N	N	N	N	Y	
Spurwink Marsh DOI Easement	4	102	16.5	N	Y	Y	Y	Y	Y	N	Y	Y	N	Y	Y	N	N	N	N	N	N	Y	
Town Farm	5	103	150.0	Y	Y	Y	Y	Y	Y	N	Y	Y	N	Y	Y	N	N	Y	N	N	N	Y	
Winnick Woods	5	105	71.0	N	Y	N	Y	Y	Y	N	Y	N	Y	Y	Y	N	N	Y	N	N	N	Y	

SECONDARY OPEN SPACES The spaces below generally are small and are valued by the adjoining neighborhood or public use is severely constrained by the natural physical characteristics of the lot	Management Group		Size (in acres)	Boating	Dogs	Events	Hiking/Walking	Horseback riding	Hunting/Fishing(1)	Ice Skating	Mountain Bikes	Snowmobiles (2)	Swimming	Trapping(3)	X Country Skiing	ATHLETIC FIELD	BARBECUE	BOAT STORAGE	PARKING	PLAYGROUND	PICNIC FACILITIES	RESTROOMS	TRAILS
	Page Number																						
<b>Northeast Area</b>																							
Abaco Lot	3	32	0.4	N	Y	N	Y	N	N	N	Y	N	Y	N	N	Y	N	N	N	N	N	N	
Abaco Pedestrian Easement	3	33	0.2	N	Y	N	Y	N	N	N	Y	N	Y	N	N	Y	N	N	N	N	N	N	
Baker Lot	3	34	0.2	N	Y	Y	Y	N	Y	N	Y	N	Y	Y	N	N	N	N	N	N	N	Y	
Holan Lots	1	37	3.1	N	N	N	N	N	Y	N	N	N	N	Y	N	N	N	N	N	N	N	N	
Ivie Rd lot	1	38	0.1	N	Y	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	
Stonybrook Lot	3	40	0.2	N	Y	Y	Y	N	Y	Y	Y	N	Y	N	N	Y	N	N	N	N	N	N	
<b>Stonegate Area</b>																							
Arlington Lane Easement	1	42	3.0	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	
Cranbrook Easement	1	43	6.8	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	
Shore Road Pond	1	48	1.1	Y	Y	N	Y	N	Y	Y	N	N	Y	N	N	Y	N	N	N	N	N	Y	
<b>Coastal Area</b>																							
Alewife Brook Lot	3	64	0.3	N	Y	N	Y	Y	Y	N	Y	N	Y	Y	N	N	N	N	N	N	N	N	
Alewife Cove Lot(no road access)	1	65	0.5	N	Y	N	N	N	Y	N	N	N	N	Y	N	N	N	N	N	N	N	N	
Davis Woods	2	67	7.3	N	Y	Y	Y	Y	Y	N	Y	Y	Y	N	Y	Y	N	N	N	N	N	N	
Eastfield Lot	1	66	0.4	N	Y	N	N	N	Y	N	N	N	N	Y	N	N	N	N	N	N	N	N	
Tarbox Triangle	3		0.2	N	Y	N	Y	Y	N	N	Y	N	Y	Y	N	N	N	N	N	N	N	N	
<b>Trout Brook Area</b>																							
Ferne Peddy Lots	1	61	3.7	N	Y	N	N	N	Y	N	N	N	N	Y	N	N	N	N	N	N	N	N	
Queen Acres/State Ave	3	62	0.7	N	Y	Y	Y	N	Y	N	N	N	Y	N	N	Y	N	N	N	N	N	Y	
<b>Interior Area</b>																							
Canterbury Pedestrian Easement	1	51	0.8	N	Y	N	Y	N	N	N	N	Y	N	N	Y	N	N	N	N	N	N	N	
Canterbury Tank House Lot	1	52	0.03	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	
Hobstone Pedestrian Easement	4	54	0.04	N	Y	N	Y	Y	N	N	Y	N	Y	N	Y	N	N	N	N	N	N	N	
McAuley Lot	3	57	0.5	N	Y	Y	Y	Y	Y	N	Y	N	Y	Y	N	N	N	N	N	N	N	Y	
Patricia Lot	1	58	0.5	N	Y	N	N	N	Y	N	N	N	N	Y	N	N	N	N	N	N	N	N	
Wildwood Easement	2	59	7.5	N	Y	Y	Y	Y	Y	N	Y	N	Y	Y	N	N	N	N	N	N	N	N	
<b>Great Pond Area</b>																							
Broad Cove Lot	1	70	8.3	N	Y	N	N	N	Y	N	N	N	N	Y	N	N	N	N	N	N	N	N	
McKenney Point Lot	3	78	0.1	N	Y	Y	Y	Y	Y	N	Y	N	Y	Y	N	N	N	N	N	N	N	N	
<b>Gull Crest Area</b>																							
Fowler Rd Corner lot	3	87	0.2	N	Y	Y	Y	Y	Y	N	Y	N	Y	Y	N	N	N	N	N	N	N	Y	
Hannaford Lot	1	89	0.8	N	Y	N	N	N	Y	N	N	N	N	Y	N	N	N	N	N	N	N	N	
Longfellow Lot	3	90	0.2	N	Y	Y	Y	N	Y	N	Y	N	Y	N	N	N	N	N	N	N	N	N	
Scott Dyer Rd Connector Easement	4	93	0.8	N	Y	N	Y	Y	Y	N	Y	N	Y	Y	N	N	N	Y	N	N	N	Y	
<b>Marsh Area</b>																							
Autumn Tides Lot	3	96	0.5	N	Y	Y	Y	N	Y	N	N	Y	N	Y	Y	N	N	N	N	N	N	N	
Park Circle	3	101	1.1	N	Y	Y	Y	Y	Y	N	Y	N	Y	Y	N	N	N	N	N	N	N	N	



(1) Hunting and Fishing are preemptively regulated by the State of Maine. See the Policy Section for more information.
(2) This does not restrict the operation of snowmobiles on property for maintenance or emergency access.
(3) State Trapping Rules allow only "cage-type live traps and drowning sets" to be set within 1/2 half mile of the built-up section of a city or town." The Town of Cape Elizabeth has determined that all of the property it owns is within the 1/2 mile trapping limitation zone. Further, setting the type of traps that are allowed by the Trapping Rules on Town property requires written permission from the Town. Licensed trappers will be granted such permission in order to remove animals causing damage to property or for wildlife survey and research purposes.
(4) Open Space Management of Fort Williams, including permissible uses, are overseen by the Fort Williams Advisory Commission
(5) No activity is allowed that will damage the athletic fields.
(6) This applies to only to the natural areas not formally managed as the school campus.
(7) Portion of trail is handicapped accessible
No ATVs are allowed on Town property per ordinance, except for maintenance
Y means allowed, but may not be recommended. N means this activity should not occur on this lot.
N = restricted by deed

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28  
29  
30  
31  
32  
33  
34  
35  
36  
37  
38  
39  
40  
41

**IV. Role of Responsible Parties**

General oversight, maintenance, monitoring and restoration of Town open space will be conducted by multiple existing departments and groups within the Town of Cape Elizabeth municipal structure. Management of Town open space will be most successful if the appropriate individuals and groups are clear about their role and the role of other parties. Below is a summary of the role of individual groups.

Town Council

The Town Charter states as follows:

The Town Council may acquire property for any Town purpose, in fee simple or any lesser interest or estate, by purchase, gift, devise, lease or condemnation and may sell, lease, mortgage, hold, manage and control such property as the Town’s interest may require.

As the holder of the property interest of the Town, the Town Council determines policies for uses of municipal property including responses to private encroachments to public open space, and naming of town land. Town Council authority is sometimes limited by deed restrictions. The Town Council directs staff, through the Town Manager, to implement its decisions. Town Council decisions are made during public meetings at which the public may provide comment.

Town Manager

The Town Charter states as follows:

The Town Manager is the administrative head of the Town and is responsible to the Town Council for the administration of all departments and for the implementation of Town Council decisions.

1  
2 As part of the annual budget process, the Town Manager communicates with the  
3 Conservation Commission on open space issues including asking the  
4 Commission for recommendations for funding for acquisition and for  
5 stewardship of open space. In the event of encroachments on Town property, the  
6 Town Manager implements adopted policies and coordinates the Town  
7 response.

#### 8 9 Conservation Commission

10  
11 The Conservation Commission is an advisory 7-member board appointed by the  
12 Town Council. It is the steward of the greenbelt trail system and provides advice  
13 to the Town Council on all Town open space, except for Fort Williams Park. The  
14 Conservation Commission prepares, for Town Council consideration, policy  
15 documents, and recommended updates for the greenbelt plan and for master  
16 plans for other open space/conservation lands. Annually, the Conservation  
17 Commission reviews the condition of greenbelt trails and identifies needed  
18 improvements. It recommends to the Town Manager funding needs for the  
19 acquisition and stewardship of open space.

20  
21 All volunteer efforts to alter greenbelt trails or open space are reviewed by the  
22 Conservation Commission. The Conservation Commission undertakes many  
23 maintenance and construction improvement projects on greenbelt trails.  
24 Activities that fall within policies already adopted by the Town Council may be  
25 approved by the Conservation Commission. Project proposals that are not within  
26 previously approved Town Council policies are reviewed by the Conservation  
27 Commission, which then provides a recommendation for Town Council  
28 consideration.

29  
30 The Conservation Commission also responds to Town Council requests for  
31 recommendations.

#### 32 33 Town Planner

34  
35 The Town Planner reports to the Town Manager and provides staff support to  
36 the Conservation Commission, Planning Board and other committees as  
37 assigned.

38  
39 The Town Planner maintains and updates records of the Town's open space  
40 including copies of all deeds and master plans and where possible provides these  
41 documents online on the municipal website. The Town Planner also provides  
42 mapping using the Town Geographic Information System (GIS).  
43

1 The Town Planner meets with volunteers and guides them through the  
2 Conservation Commission meeting/review process.

3  
4 The Town Planner implements decisions of the Conservation Commission,  
5 including purchase of materials and contract labor for greenbelt trail work,  
6 preparation of policy documents, recommendations and other duties as required.

7  
8 The Town Planner coordinates with the Public Works Department on greenbelt  
9 trail maintenance and collects information regarding possible encroachments on  
10 public land, including arranging for a surveyor to identify property lines.

11  
12 Public Works Department

13  
14 The Public Works Department performs the bulk of routine greenbelt trail  
15 maintenance per the Conservation Commission Annual Maintenance Plan.  
16 Public Works maintenance primarily involves vegetation mowing and cutting to  
17 keep trails open. The Public Works Department provides support to volunteer  
18 trail maintenance efforts, such as the delivery of materials to trail sites and the  
19 removal of debris placed next to the road. Public Works also plows parking lots  
20 associated with open space parcels.

21  
22 Code Enforcement Officer

23  
24 The Code Enforcement Officer reports to the Town Manager and regularly  
25 conducts field inspections. In the course of inspections, the Code Enforcement  
26 Officer may notice potential encroachments on Town owned land, which he will  
27 report to the Town Manager for further investigation.

28  
29 Private Property Owners

30  
31 All Town owned open space abuts privately owned land. Private property  
32 owners may act as volunteer monitors of town owned land and report any  
33 damage to trails or open space to the Town Planner or other Town employee.  
34 Private property owners who experience trespassers on their property from  
35 Town open space may also report these activities to the Town Planner, who will  
36 bring it to the Conservation Commission to address. Private property owners  
37 should not make any alterations to Town owned land without obtaining  
38 permission from the Conservation Commission. One exception to this policy is if  
39 a tree falls blocking a greenbelt trail. The portion of the tree blocking the trail  
40 may be removed by a trail user without permission and with the thanks of the  
41 Conservation Commission. Private property owners have requested permission  
42 to remove invasive species on Town property, which has been granted, and have

1 also volunteered to conduct vegetation trimming on nearby trails, which is  
2 appreciated by the Conservation Commission.

3

4 Other Stakeholders

5

6 The Conservation Commission is sometimes contacted by non-resident trail  
7 users, student volunteers or other groups. The Conservation Commission  
8 welcomes volunteer efforts. These groups should meet with the Conservation  
9 Commission before making any alteration to Town open space.

10

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28  
29  
30  
31  
32  
33  
34  
35  
36  
37  
38  
39  
40  
41  
42  
43

## V. Management Policies

### Town-wide property Management Policies

Open spaces managed by the Town of Cape Elizabeth are for the benefit and enjoyment of all citizens and visitors. Town policy is to impose as few restrictions on use of these properties as possible, consistent with the desire to promote user safety in a natural environment, minimize conflicting uses, protect the natural features and generally exercise proactive stewardship of a valuable and enduring Town asset. When using Town open space, members of the public should respect the rights of abutting private property owners and stay on Town open space.

### **Existing Ordinances, State laws and Regulations**

These management policies supplement existing federal, state, and local laws. Highlights of existing laws are noted below in association with the policy to which they most closely relate. Open space users are responsible for abiding by all applicable laws.

### **Trail Conditions**

**Policy:** Greenbelt trails are established and maintained primarily as minimally improved pathways. Selected trail improvements will be made to the degree needed to provide trail users with a rustic, enjoyable experience while minimizing impact on the natural environment. Typical trail widths will be 4 to 6 feet wide with a minimum vertical clearance of 8 feet. On wooded trails where snowmobiles operate, curved trail sections may be wider. Almost all trail surfaces will be the existing soil or grassy vegetation that is mowed periodically. Bark mulch, gravel and similar materials may be applied when the use of the trail degrades the trail surface. Water bars, shallow swales or drainage pipe may be employed for erosion control purposes.

Boardwalks, bridges and other structures will be constructed to carry trails over water or protect native soils and vegetation. On trails where

1 snowmobiles are permitted, structures will be wide enough to  
2 accommodate one snowmobile and rider at a time. Trail improvements  
3 will not introduce grade changes where they do not naturally exist.  
4 The Greenbelt Trail system will comply with the spirit of the Americans  
5 with Disabilities Act by striving to make at least ten percent of trails  
6 accessible to “other-abled” trail users. The rustic nature of greenbelt  
7 trails makes it problematic to make all trails accessible at the same level  
8 as the built environment because preservation of the natural  
9 environment is also a goal of the trail system. ADA requirements  
10 provide an exemption for nature trails in these conditions. Nevertheless,  
11 the Town will not make trail improvements on rustic trails that increase  
12 inaccessibility of trails. For example, when boardwalks or bridges are  
13 constructed, the ends will include ramps or will merge at grade to the  
14 adjacent trail surface.

15  
16 In order to preserve trail surface stability and manage trail maintenance  
17 costs, the Conservation Commission may restrict use or close a trail for a  
18 season or during wet conditions. Notification of a closed trail will be  
19 posted at the trail and on the Town website.

20  
21 Greenbelt trails are used by almost everyone who visits the Town's open  
22 spaces. Many trails are heavily impacted by foot traffic, bicycles and, in  
23 some places, snowmobiles and horses. Accordingly, virtually all open  
24 space maintenance efforts will be directed to the upkeep and  
25 improvement of the trail system. The Town of Cape Elizabeth will make  
26 all reasonable efforts to maintain the greenbelt trail system within  
27 budget limits, however, trail users are expected to use common sense  
28 and avoid trails when natural conditions make them hazardous.

## 30 Signage

31  
32 **Policy:** Town greenbelt signs adhere to a consistent design and  
33 prominently state that the trail is provided by the Town of Cape Elizabeth  
34 in order to educate the public about the Town Greenbelt system.

35  
36 Greenbelt trails constructed and maintained by the Conservation  
37 Commission are marked at regular intervals with 4 by 5 inch metal signs  
38 as seen below.  
39



1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28  
29  
30

Larger 8 by 12 inch versions of these signs are placed where they can be seen at major trail heads to make the location of trail systems easier to find. The Conservation Commission will also identify major trailhead locations where prominent 4' x 8' trail signs, similar to the Winnick Woods sign, should be installed.

At primary open spaces, copies of the maps may be placed at the head of the individual trail systems and at significant intersections to help the public navigate the trails in the field. The public will also be able to view copies of these trail maps, accompanied by a brief narrative, electronically on the Town's public website at [www.capeelizabeth.org](http://www.capeelizabeth.org)

In addition, the public is asked to follow and respect any additional trail signage that may be posted on individual trails, such as signs asking recreational bikers to dismount over wet areas of the trail, or signs prohibiting the use of motorized vehicles on the trail system. Destroying, damaging or removing signs, kiosks or any other structure or improvement placed on Town Open Space by the Town's employees or authorized agents is prohibited under Sec. 12-1-6 of the Miscellaneous Offenses Ordinance.

**Miscellaneous Offenses, Sec. 12-1-6. Defacing, Injuring Public Property.** No person shall mark or write on any public building, nor on any fence not his own nor any sidewalk, nor any other public place in this Town.



1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28  
29  
30  
31  
32  
33  
34  
35  
36  
37  
38  
39  
40  
41  
42  
43

**Hours of Operation**

**Policy:** All Town open spaces, except for Fort Williams, are open at all hours for the enjoyment of the public. From the hours of sunset to sunrise, trail users shall limit activities to the quiet enjoyment of the trails.

**Encroachments**

**Policy:** The goal of the Encroachment Policy is to protect Town owned land for the benefit and enjoyment of public use, for its’ own use, and within the context of local ordinances, deed restrictions, and usage easements which the Town has purchased or been granted. No alteration of Town property or use for private purpose without the express permission of the Town should occur.

The Town of Cape Elizabeth strives to be a good neighbor in its efforts to maintain and enhance the public’s use and enjoyment of the Town’s Open Space and Greenbelt Trails. The Town wishes to protect the public interest in public property, now and for future generations, and has a fiduciary responsibility to protect these assets. The Town’s public property rights shall be respected in the same spirit as those of private property owners.

**Encroachment defined.** An encroachment is an alteration of Town property by a private party without permission of the Town. Encroachments may include, but are not limited to:

1. Placement of structures; buildings, fences, landscape objects, play equipment
2. Placement of yard and leaf waste
3. Placement of household trash
4. Planting of trees and vegetation
5. Removal of trees and vegetation
6. Unauthorized clearing, mowing, landscaping

**When encroachments occur.** Encroachments may be reported by a member of the public, by a Town employee or official, or by the Conservation Commission. When a potential encroachment has been identified, the following process shall be used:

- 1           1.     Confirm encroachment. Following a complaint or report of a  
2           possible encroachment, the Town Manager shall be notified. The  
3           encroachment shall be inspected and, if deemed necessary, a  
4           professional surveyor will be retained to confirm the property  
5           boundary and prepare a sketch showing the extent of the  
6           encroachment. When applicable, the deed for the property shall be  
7           reviewed for restrictions. If the Conservation Commission learns of  
8           a possible encroachment, it may gather information as described  
9           above and report its findings to the Town Manager.  
10
- 11          2.     Identify party causing encroachment. The Town Manager shall  
12          attempt to identify who has caused the encroachment and initiate  
13          contact. If the responsible party cannot be determined, the Town  
14          may take action to remedy the encroachment under #3 below. If the  
15          party can be identified, the Town Manager shall initiate contact and  
16          seek voluntary cooperation to remove, repair or replace as  
17          necessary.  
18
- 19          3.     Enforcement. If the Town Manager is unable to obtain voluntary  
20          cooperation, legal advice may be sought and all legal remedies  
21          available to a property owner may be undertaken by the Town.  
22          Remedies may include but are not limited to removal of structures,  
23          replanting of vegetation, installation of fencing or other visually  
24          prominent boundary markers, and efforts to recover costs. Appeal  
25          of the Town Manager’s determination that an encroachment has  
26          occurred may be made to the Town Council.  
27

### 28 **Vegetation damage and Removal/Invasive Species**

29  
30           **Policy:** No vegetation will be removed on Town owned open space  
31           without the permission of the Town, except for blockage of Town trails.  
32

33           Greenbelt trails are primarily located in naturally vegetated areas, and  
34           often adjacent to sensitive natural resources such as wetlands and ponds.  
35           Vegetation will be removed to maintain greenbelt trails. Volunteers are  
36           encouraged to partner with the Town to conduct vegetation management,  
37           and may remove vegetative barriers across existing trails, such as fallen  
38           trees and branches, only where the trail is located, without permission.  
39

40           The Town also encourages and participates in programs to discourage and  
41           remove invasive species. Volunteers have requested and received  
42           permission to remove bittersweet on Town open space, especially where it  
43           is threatening the health of trees.

1  
2 **Rubbish, Litter, Sewerage and Animal refuse**

3  
4 **Policy:** The Town of Cape Elizabeth has a “Carry-in, Carry-out” policy.  
5 No person shall dump, deposit or leave any bottles, broken glass, paper,  
6 boxes, cans, rubbish, waste or garbage or other trash in any open space  
7 areas. Persons must, upon departing, carry out all residual items, waste  
8 or trash. No person shall deposit waste water, sewage or effluent from  
9 sinks, portable toilets, holding tanks or other plumbing fixtures directly  
10 upon or into the surface of the ground or into surface water within an  
11 open space area.

12  
13 If any domestic animal, dog, horse or other animal brought onto open  
14 space defecates on or near open space, the person or persons  
15 accompanying the animal are responsible for the immediate removal and  
16 appropriate disposal of feces from the open space.

17  
18 Below is the existing Health and Sanitation Ordinance prohibiting  
19 activities on Town land:

20  
21 **Health and Sanitation Ordinance, Sec. 11-3-12. Consent to**  
22 **dispose of waste.** No person shall throw, place, deposit or permit  
23 any person under his control or employ to throw, place, or deposit  
24 any putrid substance, human or animal excretion, dead animal,  
25 night soil, filth of any kind, garbage, rubbish, refuse piles, old  
26 lumber, or any unwholesome material in or upon any vacant lot,  
27 alley, lane, sidewalk or street, beach, harbor, pond, or stream, or  
28 upon any private lot or public grounds within the Town of Cape  
29 Elizabeth without the consent of the Town health officer or his duly  
30 authorized representative.

31  
32 **Work Alterations/Improvements to Public Land**

33  
34 **Policy:** Any proposed improvement to Town open space, not including  
35 infrastructure improvements funded by the Town Council, must be  
36 reviewed by the Conservation Commission.

37  
38 Individuals or groups that wish to make improvements to Town trails or  
39 open space shall first meet with the Conservation Commission and  
40 describe the proposed improvements. The Conservation Commission will  
41 conduct a field visit to the improvement area, and may request plans or  
42 other materials confirming the proposed work. The Conservation  
43 Commission will also monitor the improvements.

1  
2 Any work that falls within existing policies and plans approved by the  
3 Town Council may then be authorized by the Conservation Commission.  
4 Proposed improvements that exceed the scope of the Conservation  
5 Commission’s role as steward of the Greenbelt system shall be forwarded  
6 to the Town Council with the Conservation Commission’s  
7 recommendation.

8  
9 **Hunting, Fishing, and Trapping**

10  
11 Town policy on hunting, fishing and trapping is dictated by state and federal  
12 law. Highlights of the laws are summarized below.

13  
14 **State Laws.** The Town has obtained legal advice that it does not have the  
15 authority to prohibit hunting on Town owned land. Hunting, fishing and  
16 trapping is regulated by the State of Maine. Adherence to all state laws  
17 and regulations shall be the responsibility of the persons who wish to  
18 engage in hunting, fishing, or trapping on Town open space. A complete  
19 summary of state law is not provided here, however, the following  
20 general hunting provisions<sup>1</sup> should be noted:

21  
22 •“The hunting, possession, transporting of any species of wild animal or  
23 wild bird, or parts thereof, for which an open hunting season is not  
24 specifically provided, and except as provided in the fish and wildlife laws,  
25 and except as provided in the fish and wildlife laws, is unlawful.”

26  
27 •“Wild birds and wild animals may not be hunted from 1/2 hour after  
28 sunset until 1/2 hour before sunrise the following day. Exceptions:  
29 migratory bird, turkey, raccoon and coyote.”

30  
31 •[Shooting] within 100 yards of a dwelling is unlawful.

32  
33 •Tree hunting stands on private property may not be erected without the  
34 permission of the property owner. The hunting platform must include the  
35 name of the owner on the stand and steps may only be strapped onto the  
36 tree.

37  
38 <sup>1</sup>State of Maine Hunting and Trapping 2009-2011 Laws and Rules

39  
40 **Local Laws:** Use of firearms in Cape Elizabeth is limited by the Firearms  
41 Ordinance as follows:  
42

1                   **Firearms Ordinance, Sec. 9-1-1. Prohibition of Discharge of**  
2                   **Firearms.** The discharge of firearms, air rifles or pistols is  
3                   prohibited in all areas of Town excepting the salt marshes, property  
4                   owned by the Spurwink Rod and Gun Club, and property under  
5                   federal jurisdiction, and excepting the use of such weapons at  
6                   military exercises or in the lawful defense of person, family or  
7                   property of any individual or entity. Use of rifles except on target  
8                   ranges authorized by the Police Department is prohibited within all  
9                   areas of the Town.

10  
11                   **Federal Laws.** On federal land, discharge of firearms is allowed. In  
12                   addition, discharge of firearms on land located below the low water mark  
13                   of coastal lands is allowed.

14  
15                   **Policy:** Hunting, fishing and trapping in Town open space areas are  
16                   allowed in accordance with all Town and State laws and regulations.

17  
18                   **Hunting Stands.** In accordance with state law, the Town does assert its  
19                   right as a property owner to require that no hunting stand be installed on  
20                   Town open space without obtaining the permission of the property  
21                   owner. Permission to erect a tree stand will be granted in conformance  
22                   with the following:

- 23  
24                   1.       The tree stand must be installed in conformance with state law;  
25  
26                   2.       The tree stand must be installed a minimum of 100 yards from any  
27                   residential dwelling;  
28  
29                   3.       The tree stand must be installed a minimum of 10 yards from any  
30                   Town of Cape Elizabeth trail marked with greenbelt trail signs; and  
31  
32                   4.       Tree stands to be erected on Town open space shall include the  
33                   name of the owner on the tree stand.

34  
35                   **Traps.** State Trapping Rules allow only “cage-type live traps and  
36                   drowning sets” to be set within one-half mile of the built-up section of a  
37                   city or town.” The Town of Cape Elizabeth has determined that all of the  
38                   property it owns is within the 1/2 mile trapping limitation zone. Further,  
39                   setting the type of traps that are allowed by the Trapping Rules on Town  
40                   property requires written permission from the Town. Licensed trappers  
41                   will be granted such permission in order to remove animals causing  
42                   damage to property or for wildlife survey and research purposes.  
43

1 **Camping**

2  
3 **Policy:** No camping is allowed on Town owned open space without the  
4 written permission of the Town. A camping permit is required.  
5

6 **Miscellaneous Offenses, Article II. Camping on Public Property.**  
7 **[Adopted eff. 10/13/71, under R. S. 1964, T. 30, Sec. 2151.]**

8 **Sec. 12-2-1. Permit Required.** No person shall sleep, tent, camp or  
9 be housed in a camper, trailer or other mobile home upon any  
10 property owned by the Town of Cape Elizabeth after sunset or  
11 before sunrise except in accordance with a permit issued by the  
12 Chief of Police upon conditions sufficient to assure that adequate  
13 water and sanitary facilities will be preserved, that the normal use  
14 of the Town property will not be disrupted, that the peace and  
15 property of any abutters will not be disturbed, and that any liability  
16 which the Town might incur has been waived; such permit may be  
17 summarily revoked by the Chief of Police, or his duly authorized  
18 agent, upon the violation of any of the conditions recited therein.  
19

20 **Horses**

21  
22 **Policy:** Horses are allowed on designated greenbelt trails. Due to the  
23 extreme sensitivity of a horse’s nature and its inherent unpredictability, all  
24 other trail and open space users shall heed all warnings and requests from  
25 horse riders, whether mounted or on foot. Dogs must be restrained in the  
26 vicinity of horses.  
27

28 In 2011, there are approximately 130 horses owned and boarded in Cape  
29 Elizabeth. The majority of these are boarded at 4 farms.  
30

31 **Pets**

32  
33 **Policy:** All dogs must be leashed on groomed Town property. In natural  
34 open space areas, greenbelt trail users who are accompanied by their pets  
35 must maintain control of their animals at all times so as to prevent their  
36 harassing or otherwise interfering with wildlife or other users. With the  
37 above restrictions, dogs are allowed off-leash in open space areas. (See  
38 also the Rubbish, Litter, Sewerage and Animal Refuse Policy)  
39

40 The Town Dog Ordinance, Sec. 7-1-7, may need to be amended for  
41 clarification and consistency with this policy.  
42

**Dogs Ordinance, Sec. 7-1-7 Dogs to be Restrained on Municipal Property.** Any dog within the boundaries of a groomed and/or regularly maintained municipal property including, but not limited to, Fort Williams Park, public roads, municipal sidewalks and athletic fields, will be walked on a leash or tether at all times. The person accompanying the dog in these situations is required to collect any feces dropped by the animal and dispose of same in an area where it will not likely be encountered by any persons. The Cape Elizabeth Poor Farm, Lions' Field excluding the Little League field, and a 20+- acre portion of Fort Williams Park Southerly of Humphreys Road (the road fronting the Parks Maintenance Building) and extending along a line to the rear of the long garages at the rear of Officers Row buildings, (but excluding the fields immediately south of Portland Head Light and in front of Battery Blair) are not considered to be groomed and/or regularly maintained for purposes of this ordinance.

**Motorized Vehicles**

**Policy:** No motorized vehicles may operate on Town open space except:

- snowmobiles in accordance with the Uses and Activities Chart, Sec. III.
- vehicles performing authorized construction and maintenance work
- emergency service vehicles

**Fires and Alcohol**

**Policy:** In accordance with State Law, open burning anywhere in Town is allowed only upon issuance of an Open Burn Permit. Alcohol may not be consumed on Town open space.

Complete information related to burn permits can be found in the Fire Department section of the Town website ([www.capeelizabeth.com](http://www.capeelizabeth.com)).

**Social Gatherings/weddings**

**Policy:** Individuals or groups desiring to schedule weddings, or events (which are not just for use of the trails) which include an assembly of more than 20 persons on Town open space, not including Fort Williams Park or

1 athletic fields, should meet with the Conservation Commission to obtain  
2 permission. Information regarding the date and time of the event, number  
3 of attendees, any structures, tables, chairs, etc intended to be used and  
4 parking arrangements should be included in the request.  
5

## 6 **Closure of Open Space**

7

8 **Policy:** The Town reserves the right to close open space areas to the public  
9 for the purpose of protecting environmental quality or during public  
10 safety emergencies.  
11

## 12 Property Management Policies for specific parcels

13

### 14 **Fort Williams Park**

15

16 The Fort Williams Advisory Commission is a 7 member volunteer board  
17 appointed by the Town Council to supervise and provide advice to the Town  
18 Council regarding all facets of Fort Williams Park. Fort Williams Park is the  
19 premier Town-owned open space in Cape Elizabeth and is therefore included in  
20 the inventory section of this plan. Fort Williams Park, however, is exempted  
21 from any of the management provisions of this plan in deference to the  
22 organizational structure already established for the park.  
23

### 24 **Riverside Cemetery Trustees**

25

26 The Riverside Cemetery Trustees is also a volunteer board appointed by the  
27 Town Council with oversight over the Riverside Cemetery. Riverside Cemetery  
28 is also exempted from the management policies of this plan.  
29

### 30 **School Campus and Gull Crest**

31

32 The school campus and Gull Crest together form the central hub of the greenbelt  
33 trail system. Centrally located within the town, both sites also serve multiple  
34 purposes. The school campus includes all three public schools and the Town  
35 Community Center, as well as the several athletic fields. Gull Crest includes the  
36 Public Works Facility, Recycling Center and Community Garden. On these sites,  
37 greenbelt and open space uses are secondary to these primary uses, and therefore  
38 management policies on these sites take precedence over open space  
39 management policies.  
40



1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28  
29  
30  
31  
32  
33  
34  
35  
36  
37  
38  
39  
40  
41  
42  
43

## VI. Property Maintenance

### Annual Inspection

The Conservation Commission will annually inspect every Greenbelt Trail to determine if it meets basic safety and usability standards as described in this management plan. Additionally, the Commission will solicit and follow-up on pertinent comments from the public and Town officials related to the condition or suggested improvements to trails.

### Routine Maintenance

The Conservation Commission will prepare an Annual Maintenance Plan focusing on vegetation management of greenbelt trails, especially where vegetation continually overgrows trail surfaces and closes off trail corridors. It will determine the nature, frequency and priority of remedial action necessary to properly maintain these areas. The Commission will then coordinate with the Department of Public Works to determine how much maintenance the Department of Public Works has the resources to assume for that year. Where maintenance needs exceed Department of Public Works resources, the Conservation Commission will consider contracting out services within existing budget limitations and availability of volunteer labor.

In addition to annual maintenance conducted by the Department of Public Works, the Conservation Commission will continue to perform vegetation management and placement of signage as their time allows.

### Repairs/improvements/boundary encroachments

The Conservation Commission will also prepare a list of routine repairs, improvements and boundary assessments needed on Greenbelt Trails and Town open space. The Commission's list will be in priority order with safety issues identified as the most critical. The next order of priority will be problems located on heavily used trails that seriously compromise use.

In response to sentiments expressed by the Town Council that a more proactive approach to monitoring municipal property boundaries should be undertaken to

1 reduce encroachments, the Conservation Commission will supervise an annual  
 2 open space boundary survey program. As funding permits, the goal is to  
 3 professionally survey the boundaries of at least one-tenth of the Town's open  
 4 space properties each year. Within six months of completing a boundary survey,  
 5 the Commission will determine if boundaries appear vulnerable to encroachment  
 6 and will recommend marking those boundaries with fencing, boulders or other  
 7 means that are resistant to casual removal.

### 9 **Maintenance Projects**

10  
 11 The Commission will coordinate greenbelt trail and other open space property  
 12 improvements as follows:

- 14 1. Department of Public Works. The Conservation Commission will  
 15 coordinate with the Department of Public Works to determine the  
 16 resources the department can devote to the project list. [For example, the  
 17 Department of Public Works installed all the piers supporting the  
 18 Spurwink River bridge and boardwalk.]
- 20 2. Private contractors. Some projects require skills or specialized equipment  
 21 that are not typically available in the Department of Public Works. The  
 22 Conservation Commission will determine when contracting out work is  
 23 needed to complete a project. [For example, the Conservation Commission  
 24 contracted out the installation of the Great Pond boardwalk and retained a  
 25 professional surveyor prior to remedial work on the Whale back trail  
 26 head.]
- 28 3. Volunteer Labor. When appropriate, the Conservation Commission will  
 29 commit to completing a project, and may also solicit volunteers. [For  
 30 example, the Conservation Commission designed and built the Great  
 31 Pond Boat Racks.]
- 33 4. Budget. Where a project has costs that exceed the annual budget, the  
 34 Conservation Commission will describe the problem, assess the  
 35 consequences of not addressing the situation promptly and obtain an  
 36 estimated cost for the work.

37  
 38 It should be noted that it is common for greenbelt improvement projects to  
 39 include a combination of all of the above.

### 41 **Open Space lot names**

42 In order to advance management objectives, many town parcels have been  
 43 assigned names in this plan. Naming easements reference to parcels for management

1 purposes and improves the public’s knowledge of land that is available for open  
2 space today. The names proposed in this plan are subject to Town Council  
3 approval and in no way are intended imply or suggest restrictions that do not  
4 otherwise already exist.

5  
6  
7 **Maintenance by Others**

8  
9 There are several parcels included in this management plan that include a mix of  
10 formal uses and greenbelt trails. On these parcels, this plan focuses on the  
11 greenbelt trails only. This management plan does not address parcels or facilities  
12 for which formal management entities already exist. [For example, Fort Williams  
13 is overseen by the Fort Williams Advisory Committee and athletic fields are  
14 scheduled by the Athletic Director.] Existing facilities and open spaces that are  
15 already formally managed include the following:

- 16  
17 •Athletic Fields  
18 •Land Trust properties  
19 •School Campus  
20 •Fort Williams  
21 •Other Town lands

22  
23 Volunteers

24  
25 Conservation Commission members are Town residents appointed by the Town  
26 Council and donate hundreds of hours each year to trail maintenance. In  
27 addition, the Town maintains a list of resident volunteers who helped during  
28 trail work day events. There are also a few Town residents who have  
29 volunteered to informally “adopt-a-trail” and perform unsupervised  
30 maintenance as there time permits.

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28  
29  
30  
31  
32  
33  
34  
35  
36  
37  
38  
39  
40  
41  
42  
43

## VII. Public Information

Management of Town open space will include a program to expand the knowledge of Town residents about the public open space available to them. Town residents highly value open space. This has been demonstrated numerous times through public opinion surveys, support for funding to purchase open space, requirements for open space donation as part of new development, and volunteer hours working on Town trails.

The public information program should help users enjoy the benefits of the open space they have supported. The program should also promote responsible stewardship of open space. Concepts such as treading lightly on the land and leaving a place the same or better than you found it will help keep maintenance costs in check and address possible concerns of abutters.

The public information program should be flexible to take advantage of opportunities to reach out and engage the public, but at a minimum include the following:

### Town website

The Town website should include a prominent Open Space and Greenbelt Trail presence. The Town trail map, and individual area or trail maps, should be easily located and able to download for trail users.

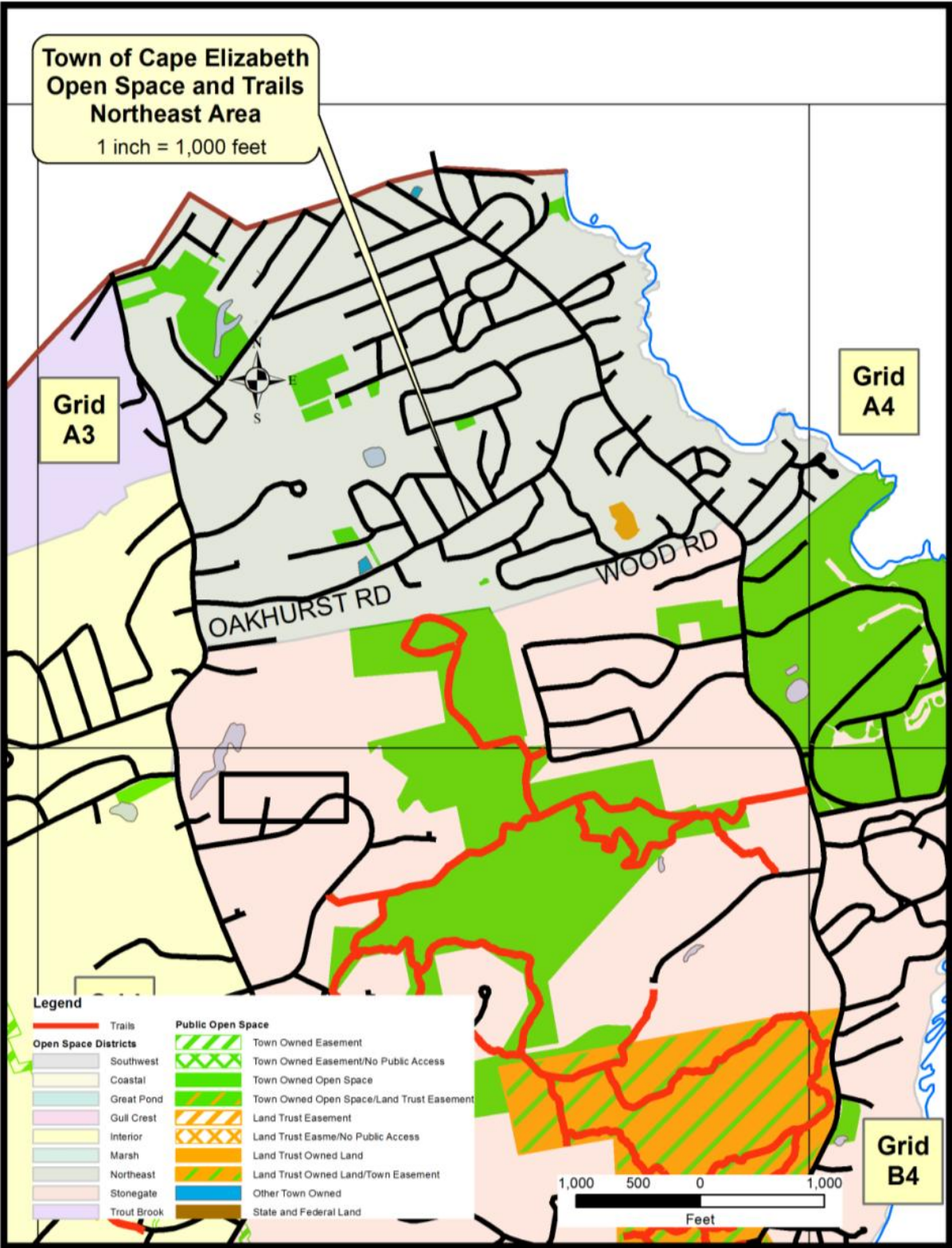
Changes on trails, such as temporary closures, maintenance work and special events should be posted on the website. (For example, the seasonal Great Pond Boat storage program is prominently advertised on the website during the permit application period.)

### Local Media

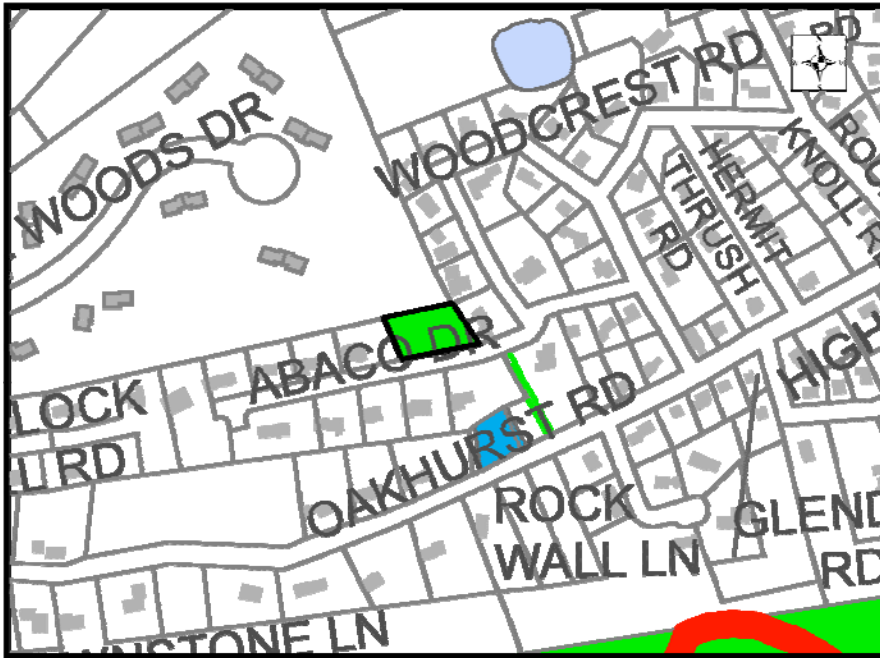
All of the notifications included on the Town website should also be forwarded to local newspapers. In addition, there should be annual promotional effort to encourage residents to explore Town trails.

1  
2  
3  
4

More information regarding public information efforts is located under Signage in the Maintenance Policies section.



- 1 **Name:** Abaco Lot
- 2
- 3 **Location (Map/Lot):** The lot is located on Abaco Drive (U33-74-14).
- 4
- 5 **Fee owner:** Town of Cape Elizabeth



- 6
- 7 **Date of Town Ownership:** 2001
- 8 **Type of acquisition:** Acquired through development review of the Hemlock Hill
- 9 Subdivision
- 10 **Deed restrictions summary:** The property is restricted to passive uses such as
- 11 walking, jogging, hiking, sightseeing, bird watching, harvesting forest products,
- 12 and general education. No buildings except for boardwalks, steps and signs are
- 13 allowed. Snowmobiles, all-terrain vehicles, motorcycles, trail bikes and similar
- 14 vehicles are prohibited.
- 15 **Public Access location:** Access for the public is available from Abaco Drive.
- 16 **Street Map Grid reference:** A3
- 17 **Physical characteristics:** The lot is .39 acres and includes woods and a stream.
- 18 **Improvements:** None.
- 19 **Open Space:** The dominant use of the lot is open space.

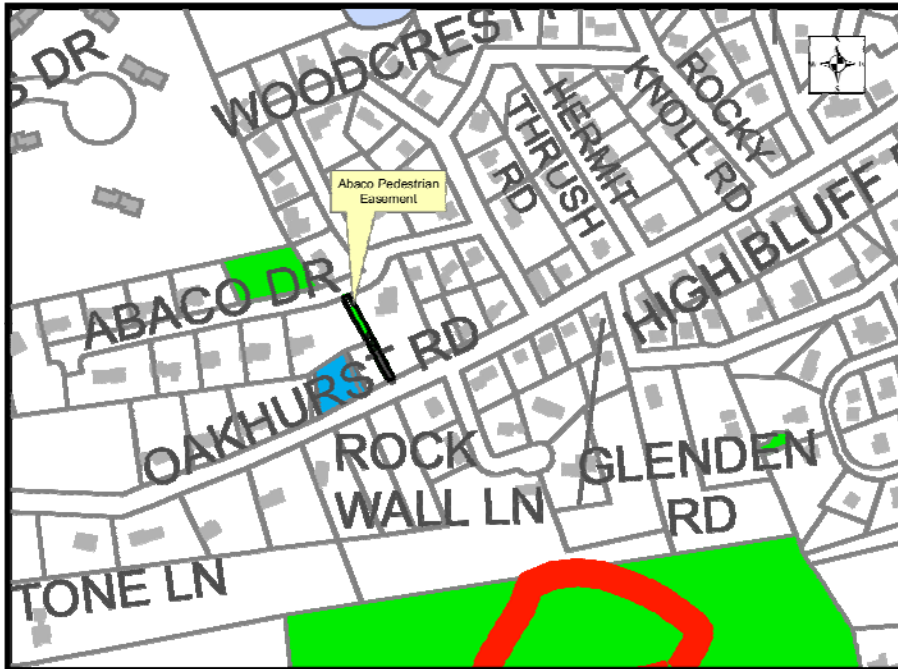
1 **Name:** Abaco Pedestrian Easement

2

3 **Fee owner:** The easement is located along the side property line of two  
4 properties, currently owned by Deborah Mann and Mary Staszko.

5

6 **Location (Map/Lot):** The easement is located on the west side of Deborah Mann's  
7 property located at 2 Abaco Drive (U33-74-8) and the east side of Mary  
8 Staszko's property located at 4 Abaco Drive (U33-74-9).



9

10 **Date of Town Ownership:** 1999

11 **Type of acquisition:** Acquired through development review

12 **Deed restrictions summary:** The purpose of the easement is to provide access  
13 over and across the property for public recreational activities of walking, jogging,  
14 skiing, hiking, sightseeing and harvesting or gathering of forest products and  
15 general educational activities.

16 **Public Access location:** Access for the public is available from Abaco Drive and  
17 Oakhurst Rd.

18 **Street Map Grid reference:** A3

19 **Physical characteristics:** The easement is 8,896 sq. ft. and sits on top of a sewer  
20 line easement and is predominantly wetland. The wetland connects to a larger  
21 complex located south of Oakhurst Rd.

22 **Improvements:** No pedestrian improvements. A sewer line is located in the same  
23 easement area.



- 1 **Open Space:** The dominant use of the space is for sewer utility line, with
- 2 pedestrian access a potential subordinate use.

1 **Name:** Baker Lot

2

3 **Fee owner:** Town of Cape Elizabeth

4

5 **Location (Map/Lot):** The lot is located on Ocean View Rd at the southwestern  
6 corner of the paper street portion of Baker Rd (U3-92).

7



8

9

10 **Date of Town Ownership:** 1977

11 **Type of acquisition:** Tax acquired

12 **Deed restrictions summary:** None

13 **Public Access location:** Access for the public is available from Ocean View Rd  
14 and the paper street portion of Baker Rd.

15 **Street Map Grid reference:** A3

16 **Physical characteristics:** The site is 8,662 sq. ft, wooded and dry.

17 **Improvements:** There is an existing trail extending from Ocean View Rd onto  
18 the paper street portion of Baker Rd and then onto this lot.

19 **Open Space:** The dominant use of the lot is open space for the neighborhood  
20 with trail connection potential. The lot is buildable and the Town Council  
21 previously considered and then rejected selling the lot for new home  
22 construction.

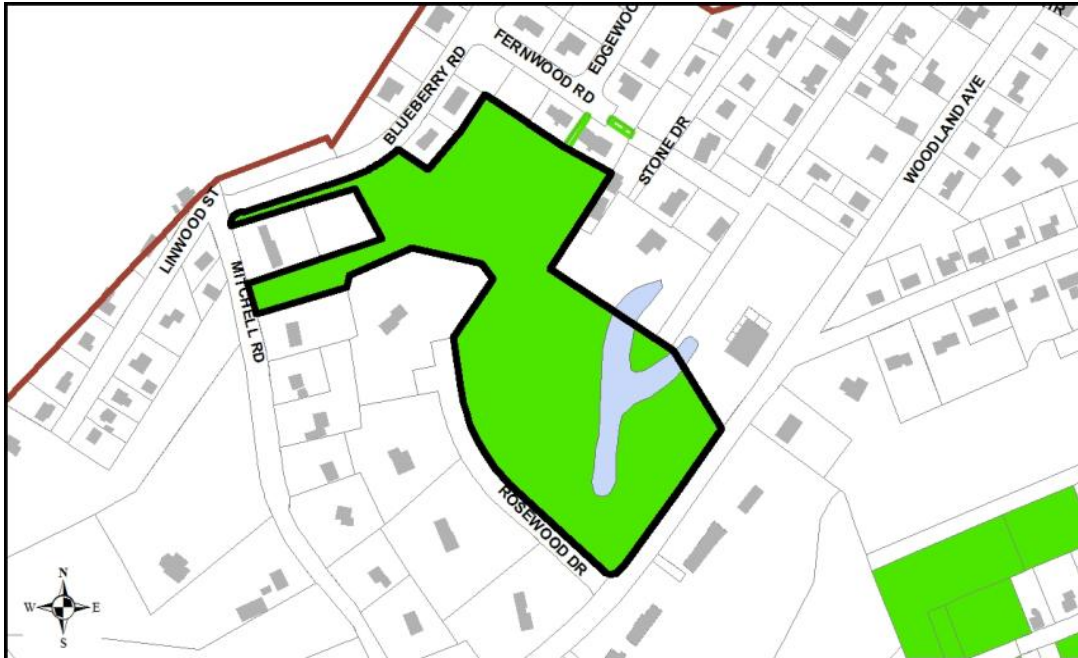
1 **Name:** Dyer Woods

2

3 **Fee owner:** Town of Cape Elizabeth

4

5 **Location (Map/Lot):** The lot has frontage on Woodland Rd, Mitchell Rd,  
6 Blueberry Rd, Rosewood Drive and a pedestrian access easement from  
7 Fernwood Drive.



8

9 **Date of Town Ownership:** 2004

10 **Type of acquisition:** The land was acquired through development review.

11 **Deed restrictions summary:** The land shall be restricted to drainage and public  
12 recreational activities such as hiking, hunting, fishing, sight-seeing, bird  
13 watching, skiing, biking, picnicking, swimming, education and trail  
14 maintenance. No structures other than boardwalks are allowed. No all terrain  
15 vehicles, or other motorized vehicles allowed. No dogs off leash allowed.

16 **Public Access location:** Access for the public is available from Fernwood Rd,  
17 Blueberry Rd, Woodland Rd and Mitchell Rd.

18 **Street Map Grid reference:** A3

19 **Physical characteristics:** The lot is 5.36 acres, includes Ledgewood Pond, and is  
20 wooded. It is a good bird habitat.

21 **Improvements:** A rustic trail system extends from Fernwood to Rosewood Dr.

22 **Open Space:** The dominant use of the lot is for open space, with two detention  
23 basins for stormwater control.

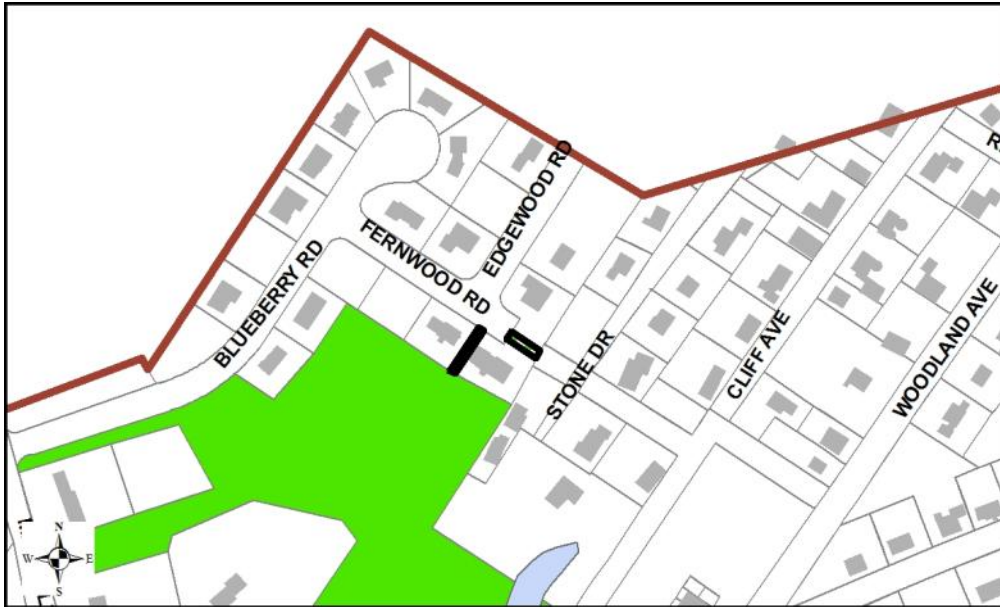
1 **Name:** Dyer Woods Pedestrian Easements

2

3 **Fee owner:** Nicholas and Jo Anne Richio

4

5 **Location (Map/Lot):** There are two pedestrian easements on the lot located at 7  
6 Fernwood Rd (U34-17-6). A 10' wide easement is located on the northwest side of  
7 the lot and connects Fernwood Rd to Dyer Woods. A 15' wide easement is  
8 located on the southeastern side of the lot and connects Fernwood Rd to another  
9 easement that connects to Stone Drive.



10

11 **Date of Town Ownership:** 2004

12

13 **Type of acquisition:** Acquired through development review

14

15 **Deed restrictions summary:** Restricted to pedestrian traffic for access for  
16 recreational activities such as hiking, hunting, fishing, sight-seeing, bird-  
17 watching, skiing, educational activities and research, biking, picnicking,  
18 swimming, trail maintenance and similar activities. No structures, other than  
19 boardwalks and no fires, no dogs off-leash.

18

19 **Public Access location:** Access for the public is available from Fernwood Rd and  
20 Dyer Woods.

20

21 **Street Map Grid reference:** A3

21

22 **Physical characteristics:** The northwest pedestrian easement is 10' wide and 86'  
23 long for a total of 860 sq. ft. It is located between two homes in a landscaped  
24 yard, framed by evergreen shrubs. The southeast easement is 15' wide and 56'  
25 long for a total of 845 sq. ft and is also located between homes in a landscaped  
26 yard.

26

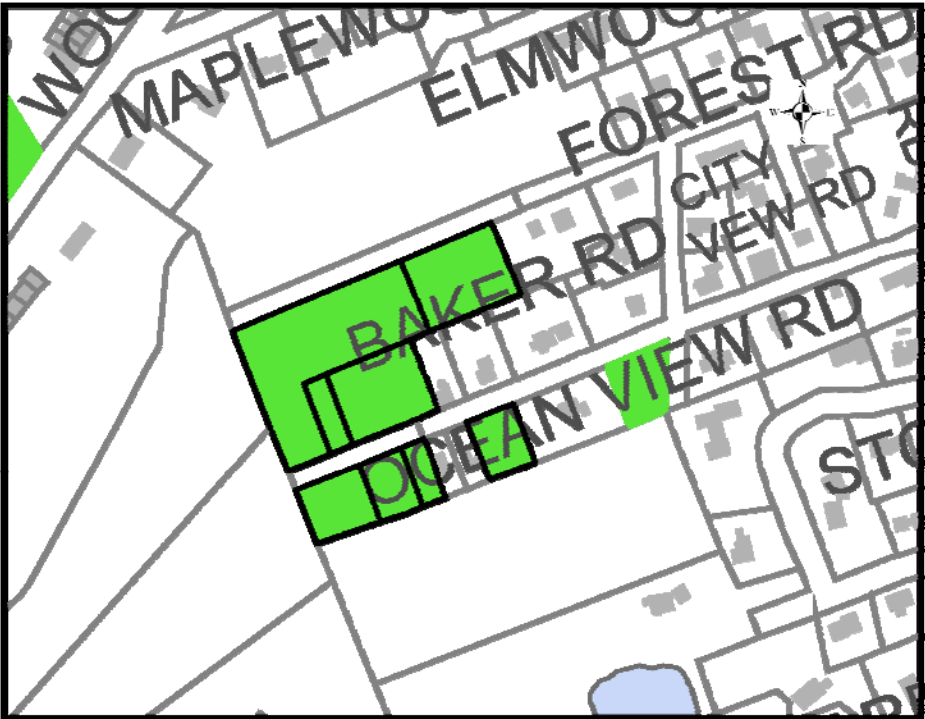
27 **Improvements:** The northwest path is defined by evergreens.

27

28 **Open Space:** The dominant use of the area is private yard and both easements  
29 facilitate public access to Dyer Woods.

29

- 1 **Name:** Holan Lots
- 2
- 3 **Fee owner:** Town of Cape Elizabeth
- 4
- 5 **Location (Map/Lot):** These lots are located at the western end of Forest Rd and
- 6 Ocean View Rd (U3-92, U3-94, U3-97, U3-98, U3-99, U3-100, U3-110, U3-111).



- 7
- 8
- 9 **Date of Town Ownership:** 1970, 1977, 1970, 1957, 1975, 1977
- 10 **Type of acquisition:** Donation and tax acquired
- 11 **Deed restrictions summary:** None
- 12 **Public Access location:** Access for the public is available from Ocean View Rd,
- 13 and Forest Rd.
- 14 **Street Map Grid reference:** A3
- 15 **Physical characteristics:** The total area of the above lots is 3.08 acres, with all but
- 16 .2 acres contiguous. The area is heavily vegetated wetland, presumably with
- 17 wildlife habitat value.
- 18 **Improvements:** None
- 19 **Open Space:** The only use of the space is as a densely vegetated wetland open
- 20 space.

1  
2  
3  
4  
5  
6  
7

**Name:** Ivie Rd lot

**Fee owner:** Town of Cape Elizabeth

**Location (Map/Lot):** The tiny lot is located at the back of a lot located on Ivie Rd.  
It has no road frontage (U4-22)



8  
9  
10  
11  
12  
13  
14  
15  
16

**Date of Town Ownership:** 1958

**Type of acquisition:** Tax acquired

**Deed restrictions summary:** None

**Public Access location:** None

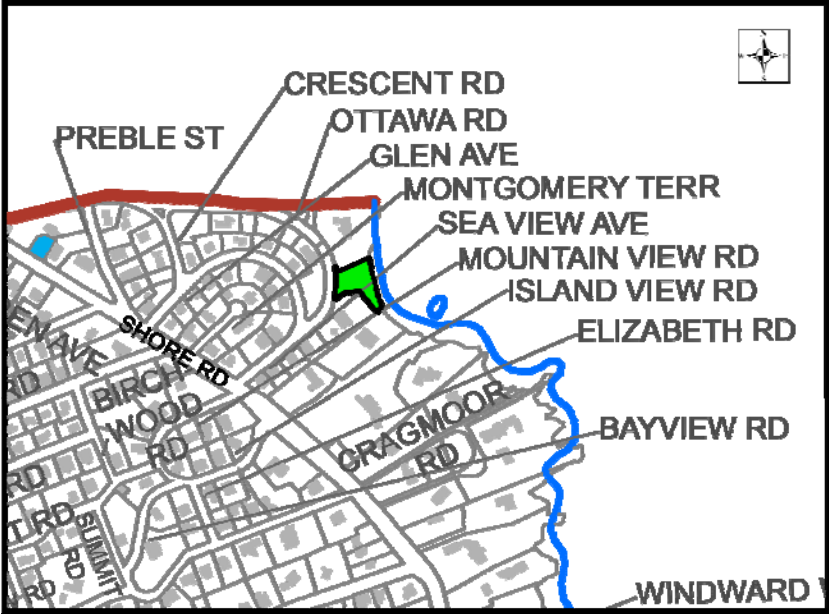
**Street Map Grid reference:** A3

**Physical characteristics:** The lot is 2,184 sq. ft. (.05 acres) and wooded.

**Improvements:** None

**Open Space:** Unknown

- 1 **Name:** Cliff House Beach
- 2
- 3 **Fee owner:** Town of Cape Elizabeth
- 4
- 5 **Location (Map/Lot):** The beach is located between Seaview Ave and the Atlantic
- 6 Ocean (U2-63).



- 7
- 8 **Date of Town Ownership:** 1961
- 9 **Type of acquisition:** Donation
- 10 **Deed restrictions summary:** The dedication is for public use and to be used as a
- 11 public way.
- 12 **Public Access location:** Access for the public is available Seaview Ave.
- 13 **Street Map Grid reference:** A3
- 14 **Physical characteristics:** The lot is .26 acres and a sandy beach on the Atlantic
- 15 Ocean.
- 16 **Improvements:** Stairs extend from Seaview Ave to the beach.
- 17 **Open Space:** The dominant use of the lot is as a public beach, primarily serving
- 18 the neighborhood.

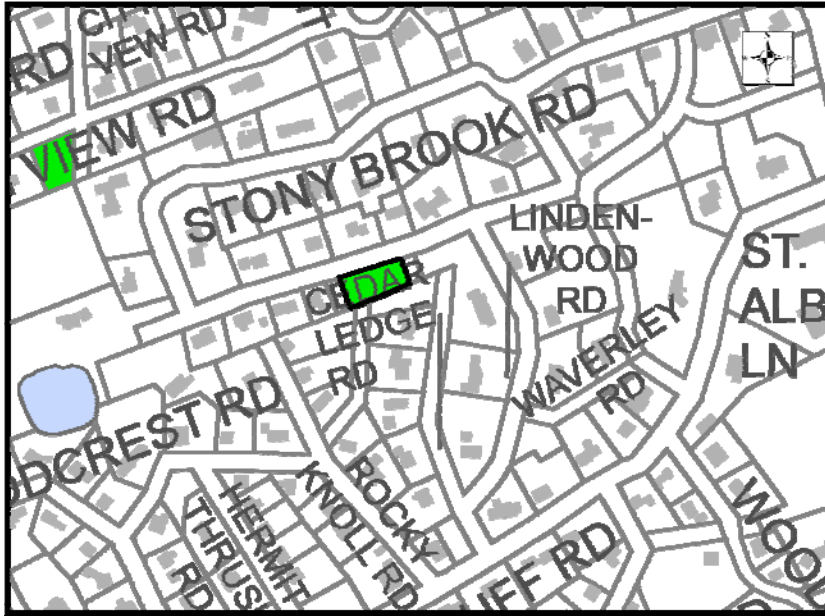
1 **Name:** Stonybrook Lot

2

3 **Fee owner:** Town of Cape Elizabeth

4

5 **Location (Map/Lot):** The lot is located on the southern loop of Stonybrook Rd  
6 (U3-125).



7

8 **Date of Town Ownership:** 1976

9 **Type of acquisition:** Tax Acquired

10 **Deed restrictions summary:** None

11 **Public Access location:** Access for the public is available from Stonybrook Rd.

12 **Street Map Grid reference:** A3

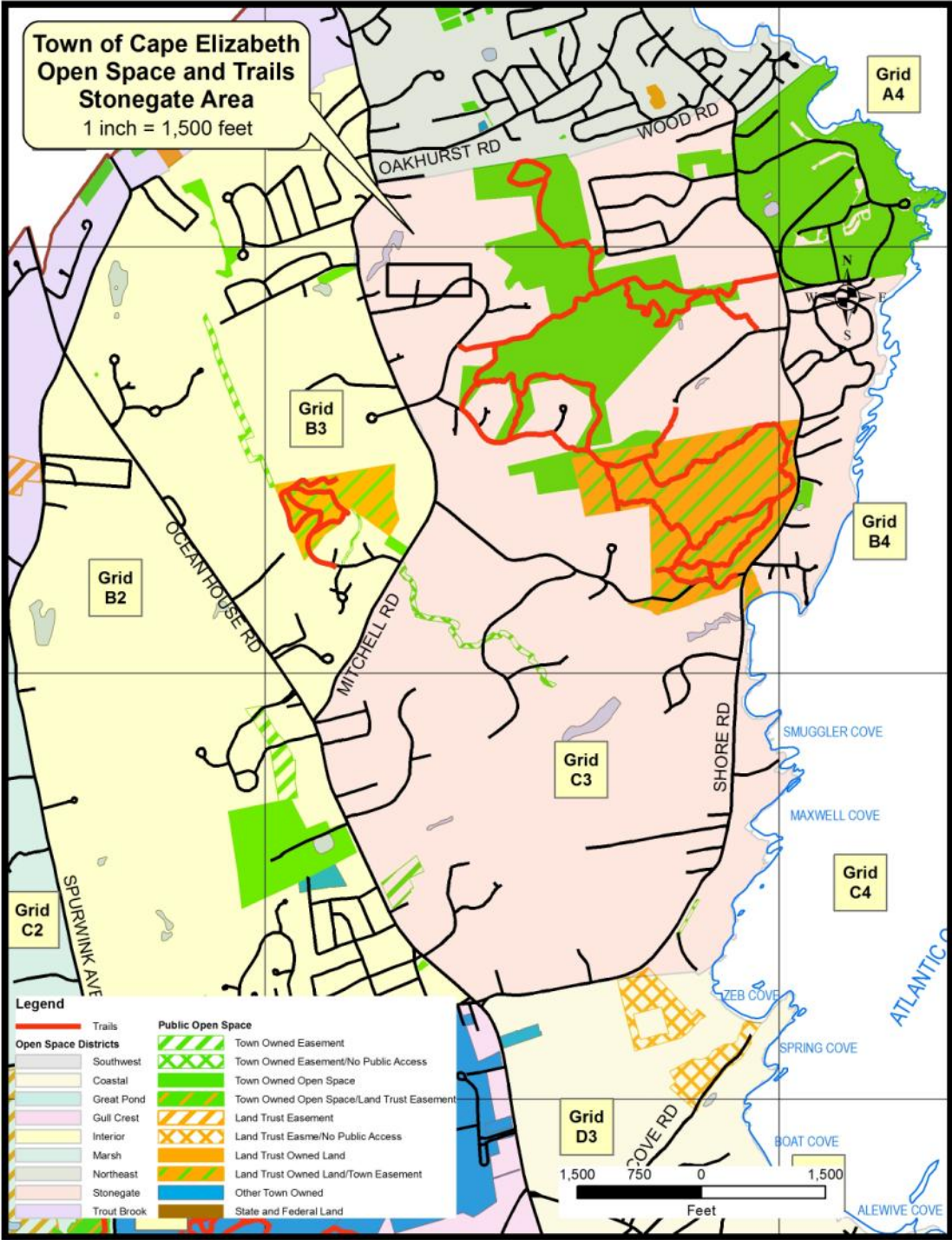
13 **Physical characteristics:** The lot is .23 acres in size and approximately ½ wooded  
14 and ½ forested wetland. When an abutter offered to buy the land, the  
15 neighborhood testified that the pond included frogs and other wildlife which the  
16 neighborhood valued as open space.

17 **Improvements:** None

18 **Open Space:** The dominant use of the lot is open space and a dumping location  
19 for grass clippings.

20





1

Prepared by the Planning Office 5/5/2011

1 **Name:** Arlington Lane Easement

2

3 **Fee owner:** Barbara and William Timmons

4

5 **Location (Map/Lot):** The easement is located north of Arlington Lane and Route  
6 77 (U23-1-999)



7

8 **Date of Town Ownership:** 2003

9 **Type of acquisition:** Development Review

10 **Deed restrictions summary:** The conservation easement prohibits development  
11 of structures and allows low-impact recreation for subdivision owners and  
12 guests. The public is not allowed to use or enter the protected area, but can view  
13 it from Route 77. Vegetation management is allowed. A trail easement has also  
14 been provided for public access but rights will not be exercised until a trail  
15 connection has been completed to Robinson Woods.

16 **Public Access location:** Access for the public is not available.

17 **Street Map Grid reference:** C3

18 **Physical characteristics:** The easement is 4.17 acres and a combination of open  
19 field with shrub brush and is part of the Pond Cove wetland complex, which has  
20 been rated moderate/high value for wildlife habitat.

21 **Improvements:** None

22 **Open Space:** The dominant use of the area is for open space.

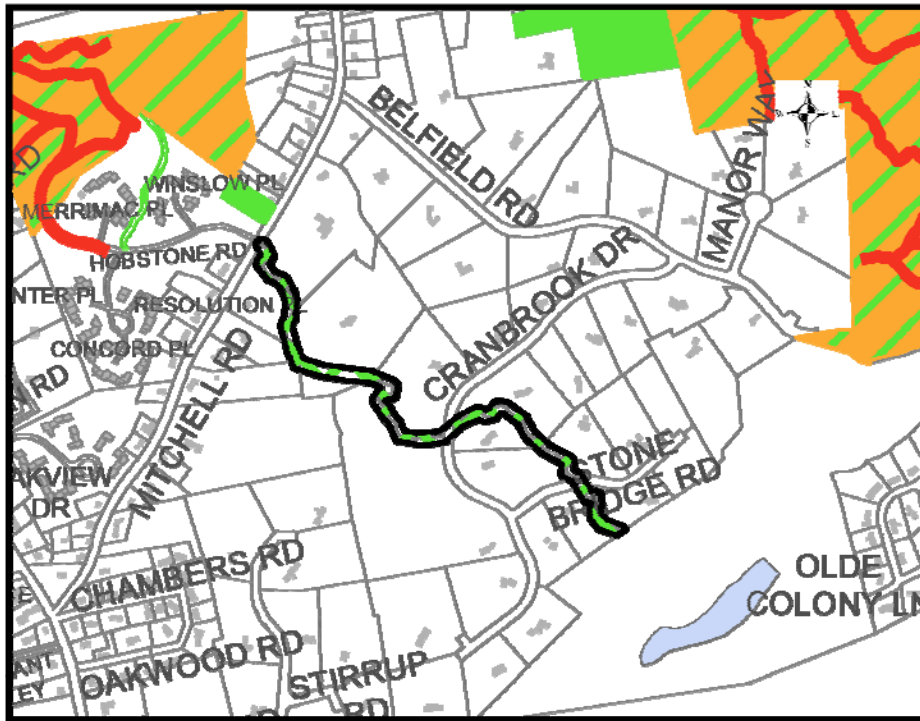
1 **Name:** Cranbrook Easement

2

3 **Fee owner:** There are several owners who abut the Pond Cove Brook, which  
4 flows from Mitchell Rd through the Cranbrook neighborhood, as follows: Rintel  
5 (U30-22), Crawford (U30-25), Cloutier (U30-36), White (U30-35), Maclaughlin  
6 (U30-37), Harper (U30-50), Hillman (U30-52), Ciraldo (U30-49), Altenberg (U30-  
7 45), Caras (U30-44).

8

9 **Location (Map/Lot):** The easement is located on land extending 60' from the  
10 Pond Cove Brook.



11

12 **Date of Town Ownership:** 1980

13

13 **Type of acquisition:** Development Review

14

14 **Deed restrictions summary:** The public has the right to view the easement but  
15 not to enter the easement area. The property shall be used for conservation  
16 purposes only and no structures of any kind shall be located on the easement.

17

17 **Public Access location:** Access for the public is not available.

18

18 **Street Map Grid reference:** B3

19

19 **Physical characteristics:** The easement is 120' wide with Pond Cove Brook at its  
20 center and approximately 3.4 acres. The area is wooded or open lawns.

21

21 **Improvements:** None

22

22 **Open Space:** The dominant use of the easement is open space incorporated into  
23 private lawns.

23

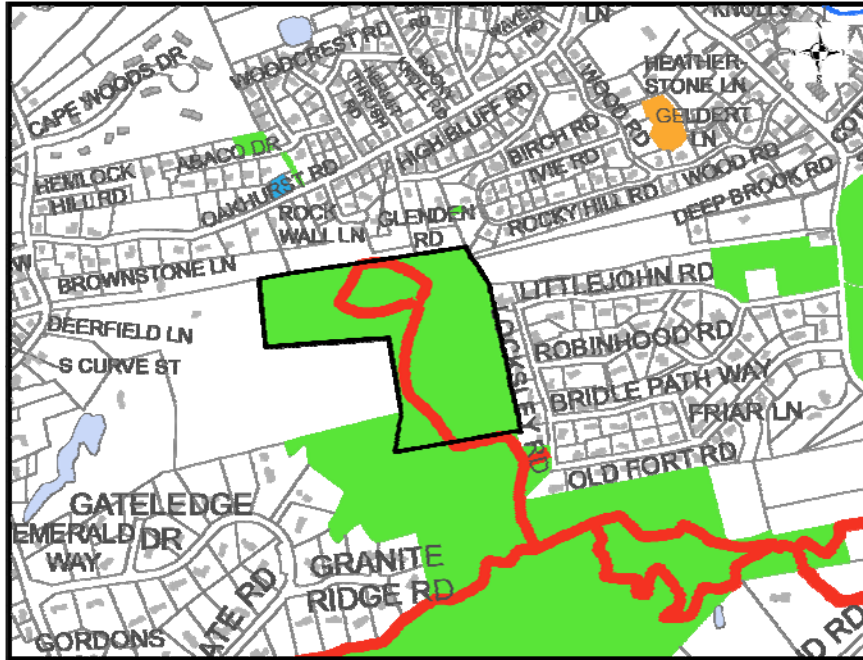
1 **Name:** Loveitt Woods

2

3 **Fee owner:** Town of Cape Elizabeth and Clifford family

4

5 **Location (Map/Lot):** Loveitt Woods is located behind the Sherwood Forest  
6 neighborhood west of Shore Rd (R1-2).



7

8

9 **Date of Town Ownership:** 2007

10 **Type of acquisition:** The property is in joint ownership with over 90% of the  
11 ownership held by the Town through a combination of tax-acquired property  
12 and purchase.

13 **Deed restrictions summary:** None.

14 **Public Access location:** Access for the public is available from Locksley Rd

15 **Street Map Grid reference:** A3

16 **Physical characteristics:** The land is mainly wooded with forested wetlands. It is  
17 the northerly end of the Stonegate land complex. Because it is part of a large  
18 parcel of contiguous, undeveloped land, it should be a habitat for wildlife.

19 **Improvements:** The land includes a loop and several off-shoot pedestrian trails  
20 and a bridge.

21 **Open Space:** The dominant use of the land is as open space.

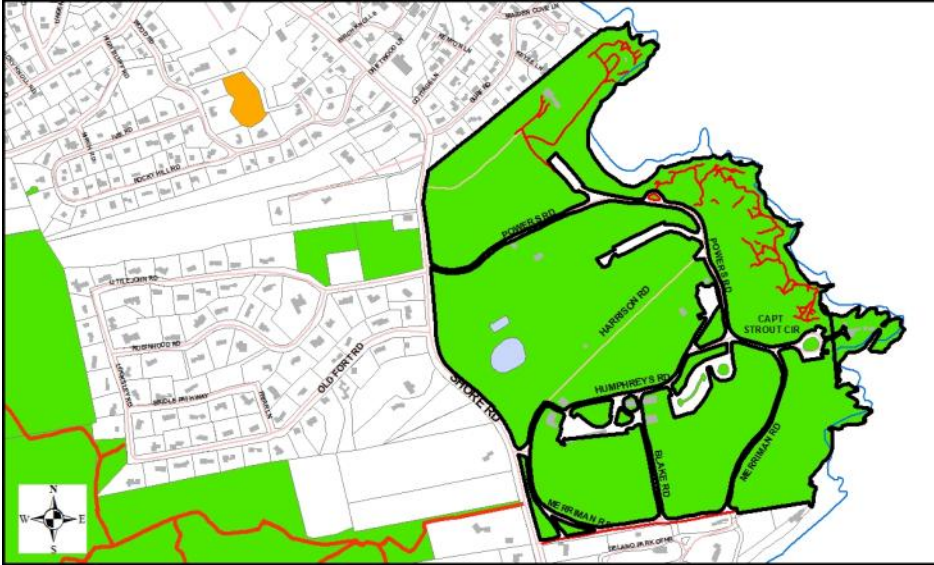
1 **Name:** Fort Williams Park and Portland Head Light

2

3 **Fee owner:** Town of Cape Elizabeth

4

5 **Location (Map/Lot):** This park is located on Shore Rd (U48-1 and 2).



6

7 **Date of Town Ownership:** 1964, 1993

8 **Type of acquisition:** Purchase

9 **Deed restrictions summary:** The deed reserves a right for the Coast Guard to  
10 access Portland Head Light. Portions of the property are not restricted by deed,  
11 but by terms of federal grants received in the past.

12 The deed to Portland Head Light includes provisions for access by the United  
13 States to aids to navigation. There is also a historic preservation covenant which  
14 subjects exterior alteration to review by the Maine Historic Preservation  
15 Commission.

16 **Public Access location:** Access for the public is available from Shore Rd.

17 **Street Map Grid reference:** A4

18 **Physical characteristics:** The park is 96 acres and a combination of open fields  
19 and woods with dramatic views of the rocky coastline of the Atlantic Ocean. A  
20 small pond is also visible from Shore Rd. Portland Head Light is 1.2 acres of  
21 developed open area with a rocky coastline jutting into the Atlantic Ocean.

22 **Improvements:** This town park includes significant improvements including an  
23 internal road system, athletic fields, a playground, parking lots, a cliff-side trail  
24 and several office and maintenance buildings. Portland Head Light includes a  
25 lighthouse, keeper's quarters converted into a museum, gift shop building and  
26 walkway around the property.

27 **Open Space:** The dominant use of the park is open space. The dominant use of  
28 Portland Head Light is as an aid to navigation with the subordinate use as open  
29 space. Both sites also have special scenic and historic significance.

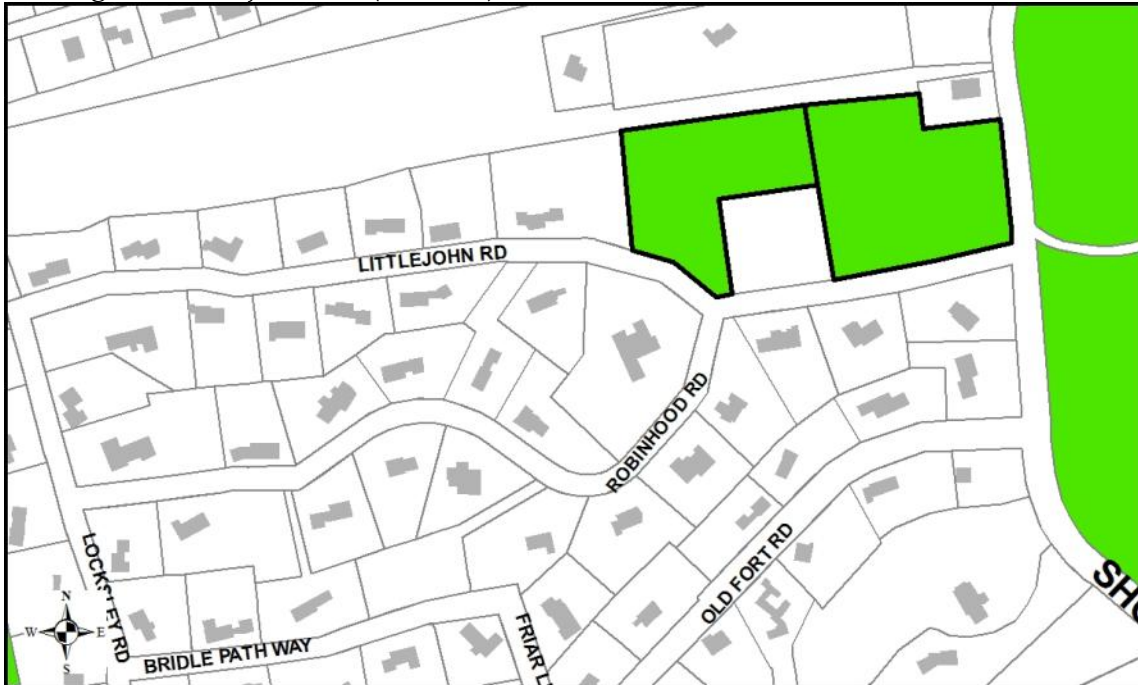
1 **Name:** Plaisted Park

2

3 **Fee owner:** Town of Cape Elizabeth

4

5 **Location (Map/Lot):** Plaisted Park is located at the corner of Shore Rd and  
6 Littlejohn Rd (U6-89). Another lot is located at the rear of Plaisted Park with  
7 frontage on Littlejohn Rd (U6-89A).



8

9 **Date of Town Ownership:** 1975

10 **Type of acquisition:** Donation

11 **Deed restrictions summary:** The lot shall be used solely as a playground and for  
12 recreational purposes and facilities.

13 **Public Access location:** Access for the public is available from Shore Rd and  
14 Littlejohn Rd.

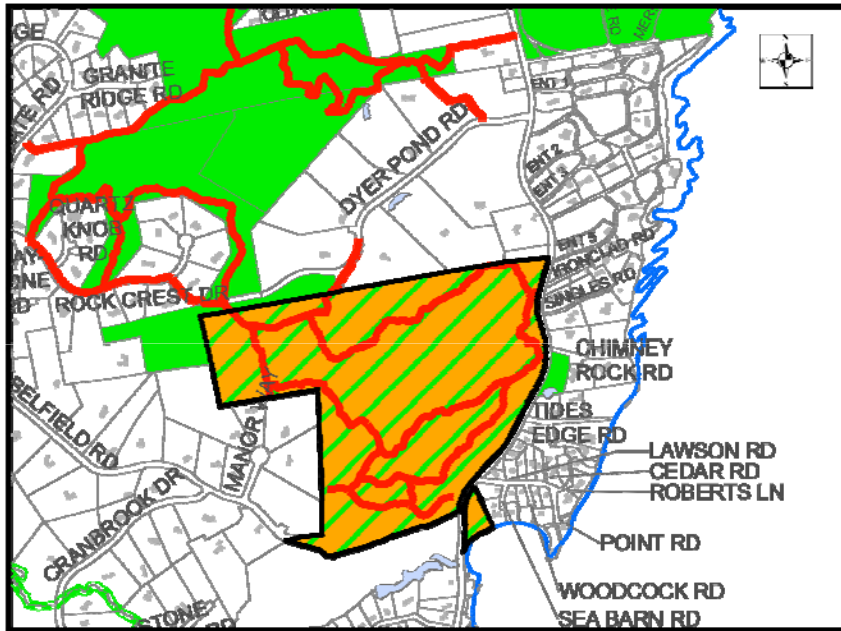
15 **Street Map Grid reference:** A3

16 **Physical characteristics:** The lot is 2.2 acres and developed. The rear lot is 1.3  
17 acres and predominantly wooded.

18 **Improvements:** The lot has a little league baseball field, concession stand and  
19 gravel parking lot. The rear lot has sewer infrastructure.

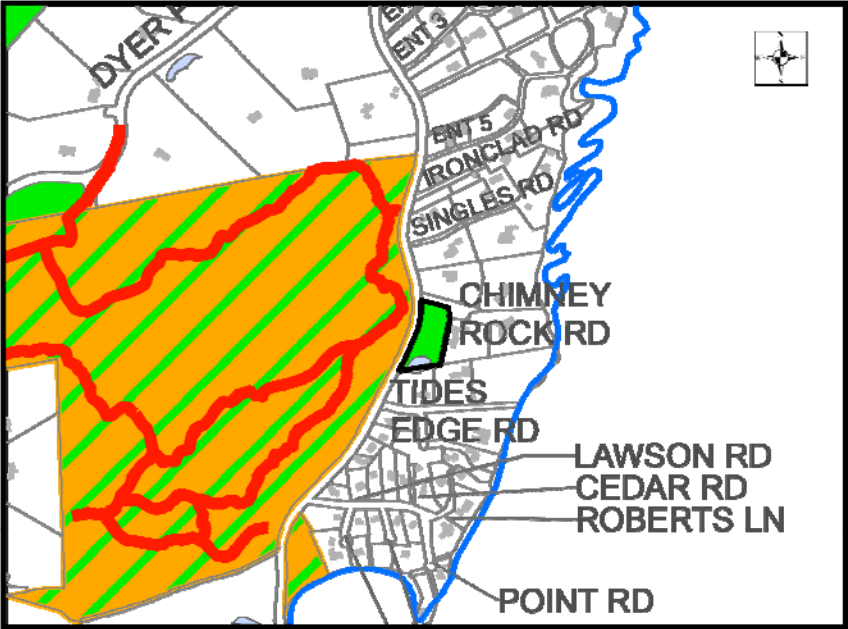
20 **Open Space:** The dominant use of the lot is as a little league ballpark, with sewer  
21 infrastructure on the rear lot.

- 1 **Name:** Robinson Woods
- 2
- 3 **Fee owner:** Cape Elizabeth Land Trust
- 4
- 5 **Location (Map/Lot):** R2-1, U8-47



- 6
- 7 **Date of Town Ownership:** 2000
- 8 **Type of acquisition:** Purchase at discounted price
- 9 **Deed restrictions summary:** Restricted to preservation of natural features and a
- 10 trail network.
- 11 **Public Access location:** Access for the public is available from Shore Rd at the
- 12 intersection with Belfield Rd and at Pond Cove.
- 13 **Street Map Grid reference:** B3
- 14 **Physical characteristics:** Robinson Woods is 81.9 acres, plus a 1.25 acre parcel on
- 15 the east side of Shore Rd with access and views of the Atlantic Ocean. The main
- 16 parcel is wooded wetlands and a pond. The ocean side parcel is also wooded to
- 17 the water, with unobstructed views of the ocean.
- 18 **Improvements:** A loop trail is located on the main parcel and a trail to the water
- 19 on the ocean side parcel. The main parcel also includes an information kiosk and
- 20 gravel parking area, partly located in the right-of-way of Shore Rd.
- 21 **Open Space:** The dominant use of the property is for open space.

- 1 **Name:** Shore Rd pond
- 2
- 3 **Fee owner:** Town of Cape Elizabeth
- 4
- 5 **Location (Map/Lot):** The pond lot is located at Shore Rd (U8-10D).



- 6
- 7 **Date of Town Ownership:** 1979
- 8 **Type of acquisition:** Donation
- 9 **Deed restrictions summary:** The premises shall be kept in a natural and wild
- 10 state, except that a footpath may be maintained for pedestrians.
- 11 **Public Access location:** Access for the public is available from Shore Rd.
- 12 **Street Map Grid reference:** B4
- 13 **Physical characteristics:** The lot is 1.1 acres and almost entirely encompassed by
- 14 a freshwater pond, with some adjacent woods, which is clearly visible from
- 15 Shore Rd.
- 16 **Improvements:** None
- 17 **Open Space:** The dominant use of the space is as a pond.



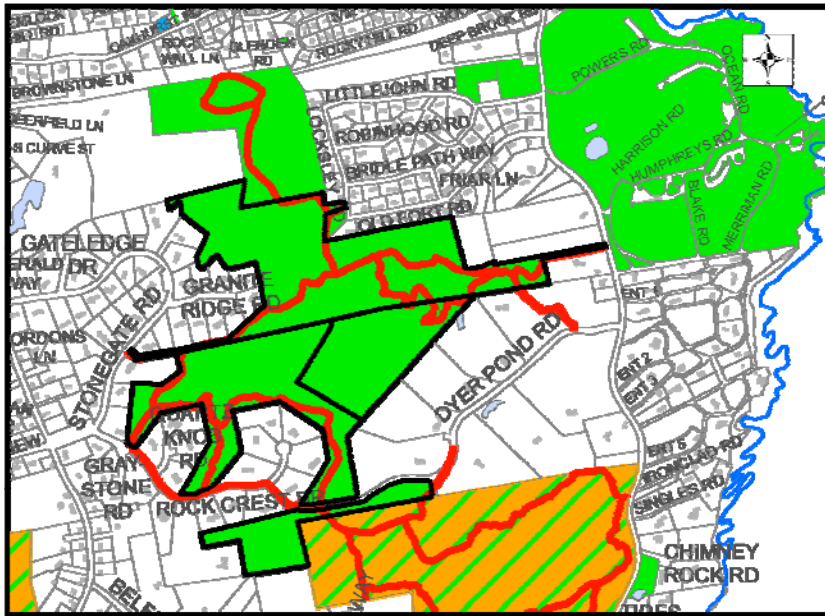
1 **Name:** Stonegate Trails

2

3 **Fee owner:** Town of Cape Elizabeth

4

5 **Location (Map/Lot):** The Stonegate open space land extends from Stonegate Rd  
6 to Shore Rd and Dyer Pond Rd and connects both to the Loveitt Woods lot and  
7 Robinson Woods (U6-18, U6-18C, U51-9, U57-18).



8

9 **Date of Town Ownership:** 1984, 1986, 1994

10 **Type of acquisition:** The lots were obtained as part of the development review  
11 for the Stonegate and Dyer Pond neighborhoods.

12 **Deed restrictions summary:** The property was donated exclusively for public  
13 purposes to be preserved for outdoor recreation and education. No structures of  
14 any kind are allowed, nor motorized vehicles, including automobiles, trucks, off-  
15 road vehicles, snowmobiles, motorcycles and recreational vehicles, except for  
16 emergencies, weir maintenance and footpaths.

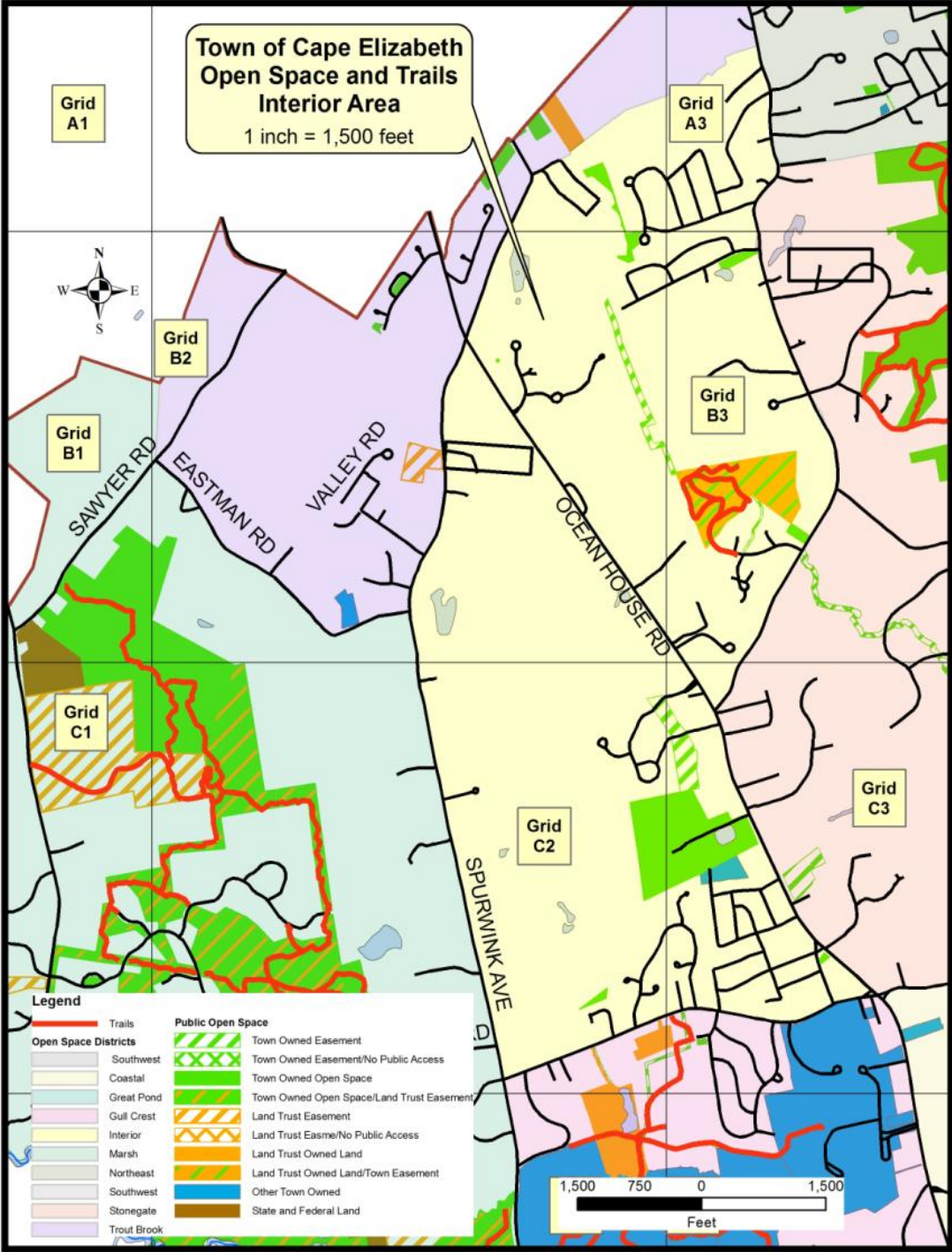
17 **Public Access location:** Access for the public is available from Shore Rd,  
18 Locksley Rd, Dyer Pond Rd, Stonegate Rd, and Rock Crest Drive.

19 **Street Map Grid reference:** A3, B3

20 **Physical characteristics:** The lots total 86.6 acres and are a mix of wooded land  
21 and forested wetland and include streams.

22 **Improvements:** The Stonegate area includes a significant trail system that  
23 connects Dyer Pond to the northern end of Cape Elizabeth. Several bridges and  
24 boardwalks have been constructed.

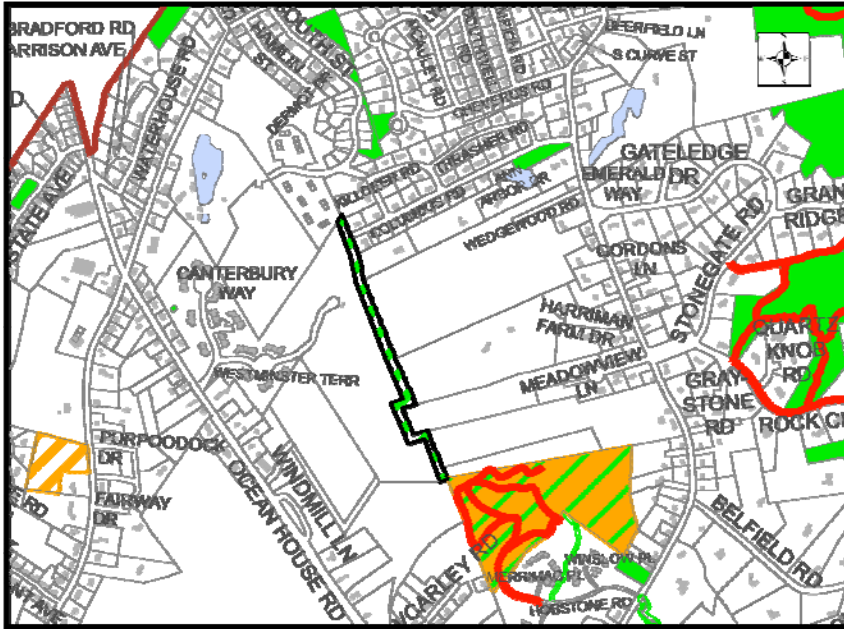
25 **Open Space:** The dominant use of the space is as open space, although there is  
26 also a weir that manages stormwater flows located near Locksley Rd.



1

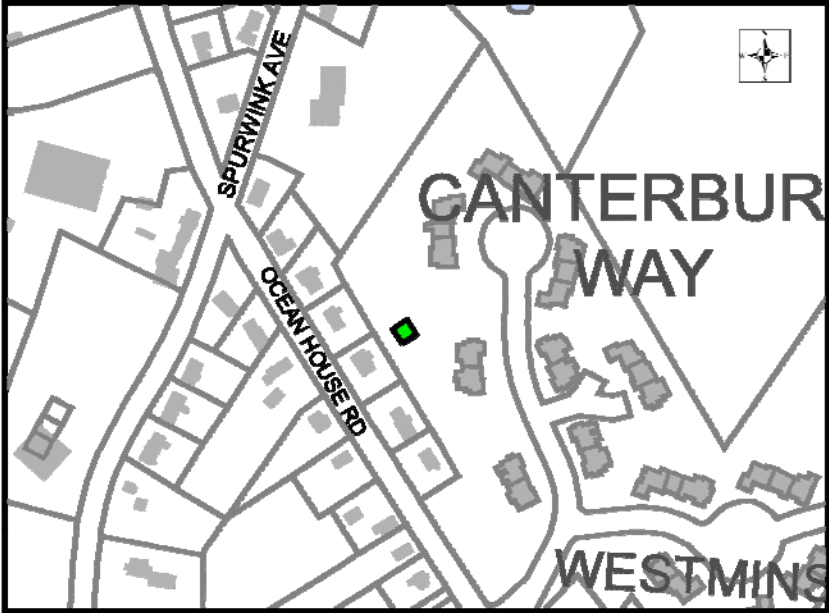
Prepared by the Planning Office 5/5/2011

- 1 **Name:** Canterbury Easement
- 2
- 3 **Fee owner:** Canterbury on the Cape Condominium Association
- 4
- 5 **Location (Map/Lot):** The easement extends from the southern boundary of the
- 6 Canterbury on the Cape land to the end of Columbus Rd (U29-66-999).



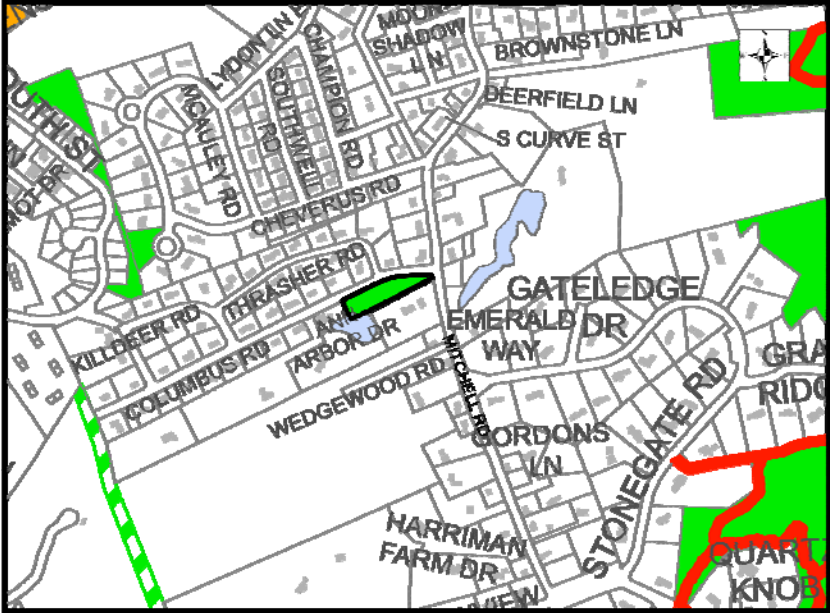
- 7
- 8 **Date of Town Ownership:** 1982
- 9 **Type of acquisition:** Development Review
- 10 **Deed restrictions summary:** The easement is limited to foot traffic only, skis and
- 11 snowshoes and does not include the right to pass with vehicles of any type or
- 12 horses. No construction or placement of structures is allowed and no trees over
- 13 10" dbh shall be cut unless they are dead or a safety hazard.
- 14 **Public Access location:** Access for the public is available from the end of
- 15 Columbus Rd.
- 16 **Street Map Grid reference:** B2
- 17 **Physical characteristics:** This is a 16.5' foot wide pedestrian in a heavily wooded
- 18 area.
- 19 **Improvements:** Unknown
- 20 **Open Space:** The dominant use of the land is for open space.

- 1 **Name:** Canterbury Tank House Lot
- 2
- 3 **Location (Map/Lot):** This tiny parcel is located off Ocean House Rd in the
- 4 Canterbury on the Cape area (U29-67).



- 5
- 6 **Date of Town Ownership:** 1976
- 7 **Type of acquisition:** Tax acquired
- 8 **Deed restrictions summary:** Rights to lay water lines for windmill and well
- 9 house.
- 10 **Public Access location:** Right-of-way from Ocean House Rd
- 11 **Street Map Grid reference:** B2
- 12 **Physical characteristics:** This 1,296 sq. ft. parcel (.03 acres) is the site of a former
- 13 well.
- 14 **Improvements:** Unknown
- 15 **Open Space:** Unknown

- 1 **Name:** Columbus Lot
- 2
- 3 **Location (Map/Lot):** This lot is on the southern corner of Columbus Rd and
- 4 Mitchell Rd (U32-6).



- 5
- 6 **Date of Town Ownership:** 1972
- 7 **Type of acquisition:** Development of Mitchell Highlands Subdivision
- 8 **Deed restrictions summary:** None
- 9 **Public Access location:** Access for the public is available from Columbus Rd.
- 10 **Street Map Grid reference:** B3
- 11 **Physical characteristics:** The lot is 1 acre and wooded.
- 12 **Improvements:** There is a small pull-off area, but otherwise the lot is wooded.
- 13 **Open Space:** The dominant use of the lot is as open space.

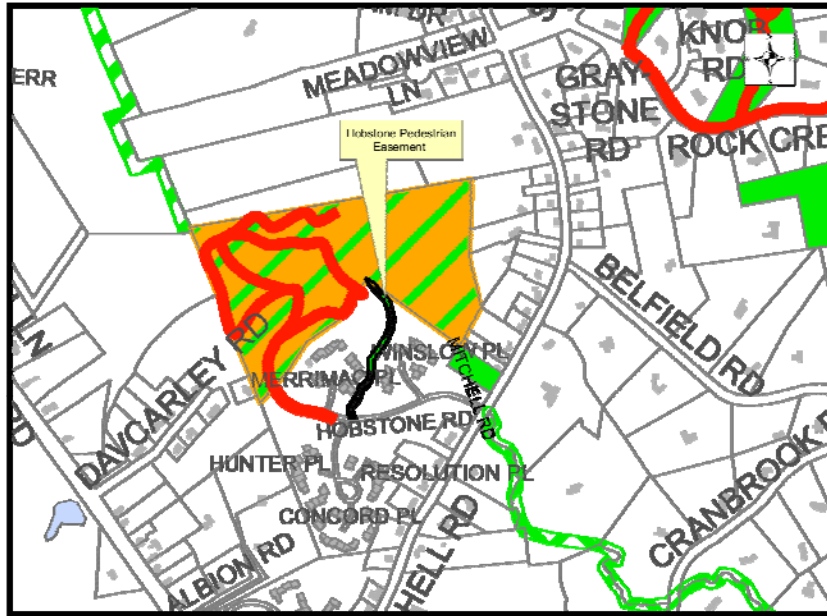
1 **Name:** Hobstone Pedestrian Easement

2

3 **Fee owner:** Hobstone Condominium Association

4

5 **Location (Map/Lot):** The easement is located on the common land of the  
6 Hobstone Condominium development located off Mitchell Rd (U30-100).



7

8 **Date of Town Ownership:** 1982

9 **Type of acquisition:** Development Review

10 **Deed restrictions summary:** The perpetual right, in common with others, to  
11 pass, together with the right to brush out, maintain, repair and relocate within  
12 the easement area a narrow, meandering footpath for the use and benefit of the  
13 general public. Motor or other mechanized means of travel are prohibited, as  
14 well as structures and cutting of timber.

15 **Public Access location:** Access for the public is available from Hobstone Rd.

16 **Street Map Grid reference:** B3

17 **Physical characteristics:** The pedestrian easement is 25' wide and located in a  
18 wooded area.

19 **Improvements:** Unknown

20 **Open Space:** The dominant use of the area is open space.

1 **Name:** Hobstone Conservation Easement

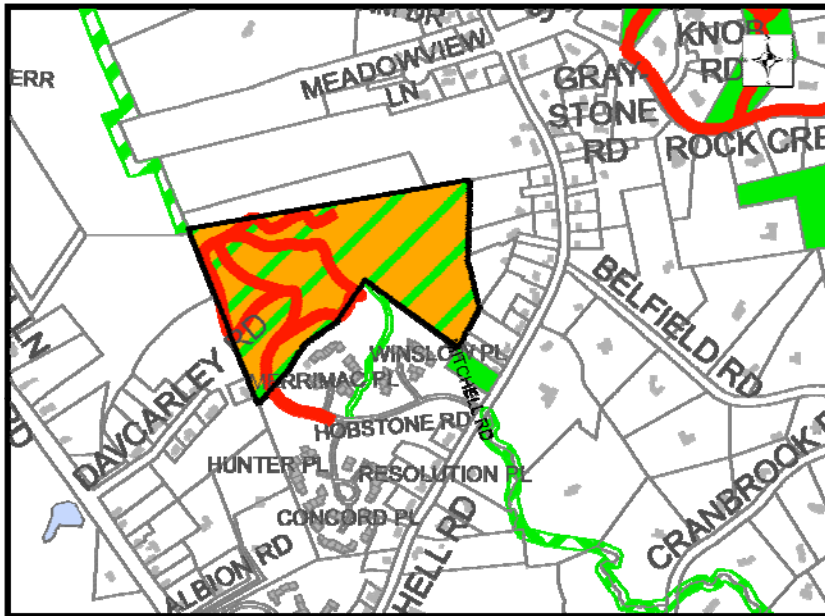
2

3 **Fee owner:** Hobstone Condominium Association

4 Easement also held by the Cape Elizabeth Land Trust

5

6 **Location (Map/Lot):** The conservation easement is located at the end of Hobstone  
7 Rd (U30-6).



8

9 **Date of Town Ownership:** 1997

10 **Type of acquisition:** Purchase

11 **Deed restrictions summary:** The purpose of the easement is to preserve and  
12 protect the natural open space, scenic and ecological features and values. The  
13 property shall be used only for daytime public access and nonmechanized  
14 recreation and conservation. No tents or fires, structures and the Land Trust shall  
15 have the right to establish trails, 2 parking spaces, and a rustic shelter not to be  
16 used for camping.

17 **Public Access location:** Access for the public is available from Hobstone Rd.

18 **Street Map Grid reference:** C3

19 **Physical characteristics:** The 20.56 acre site is wooded.

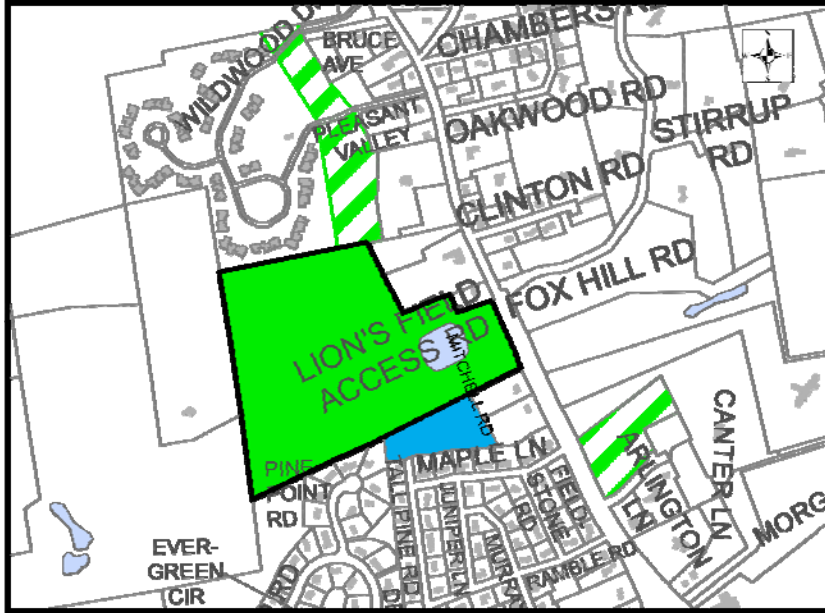
20 **Improvements:** A loop trail is located on the easement.

21 **Open Space:** The dominant use of the site is for open space.

1 **Name:** Lions Field

2

3 **Location (Map/Lot):** The lot is located on Ocean House Rd just north of the  
4 Town Center (U24-1).



5

6 **Date of Town Ownership:** 1972

7 **Type of acquisition:** Donation

8 **Deed restrictions summary:** The lot must be called "Lions Field" and its use  
9 restricted to "that usual to parks and recreation and limited educational field-  
10 study use."

11 **Public Access location:** Access for the public is available from Lions Field Access  
12 Rd.

13 **Street Map Grid reference:** C3

14 **Physical characteristics:** The lot is 25 acres and is open field with wetlands, a  
15 pond, and woods.

16 **Improvements:** The lot includes 2 ball fields, concession stand, storage sheds,  
17 skating pond and related internal road and gravel parking areas.

18 **Open Space:** The predominant use of the site is for active recreation, although  
19 the wetlands provide some wildlife habitat.



1 **Name:** McAuley Lot

2

3 **Location (Map/Lot):** This lot is located on McAuley Rd, near the cul-de-sac (U49-  
4 4).



5

6

7 **Date of Town Ownership:** 1984

8 **Type of acquisition:** The lot was acquired through development review.

9 **Deed restrictions summary:** The lot shall be used for conservation and outdoor  
10 recreation use only. No commercial, industrial, residential or mining activities  
11 are allowed, nor are any structures allowed except signs. Trees may be removed  
12 to establish foot trails.

13 **Public Access location:** Access for the public is available from McAuley Rd.

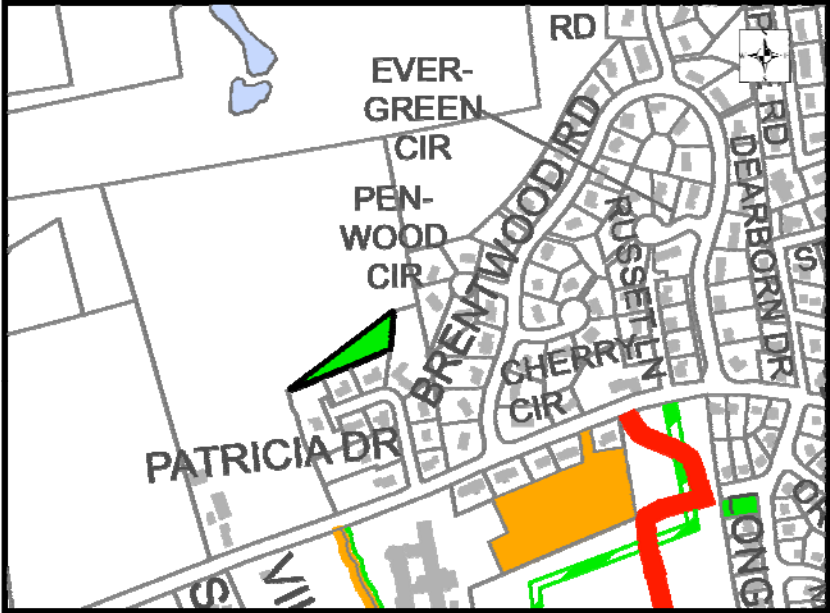
14 **Street Map Grid reference:** B2

15 **Physical characteristics:** The site is wooded

16 **Improvements:** There is a trail on the property.

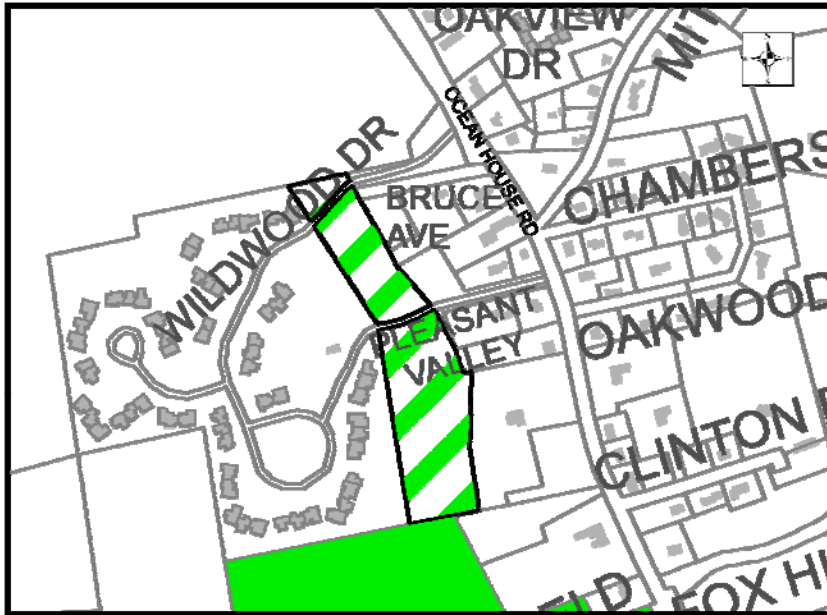
17 **Open Space:** The dominant use of the lot is open space.

- 1 **Name:** Patricia Lot
- 2
- 3 **Location (Map/Lot):** This lot is located at the rear of the lots on the northern side
- 4 of Patricia Drive (U35-25A).



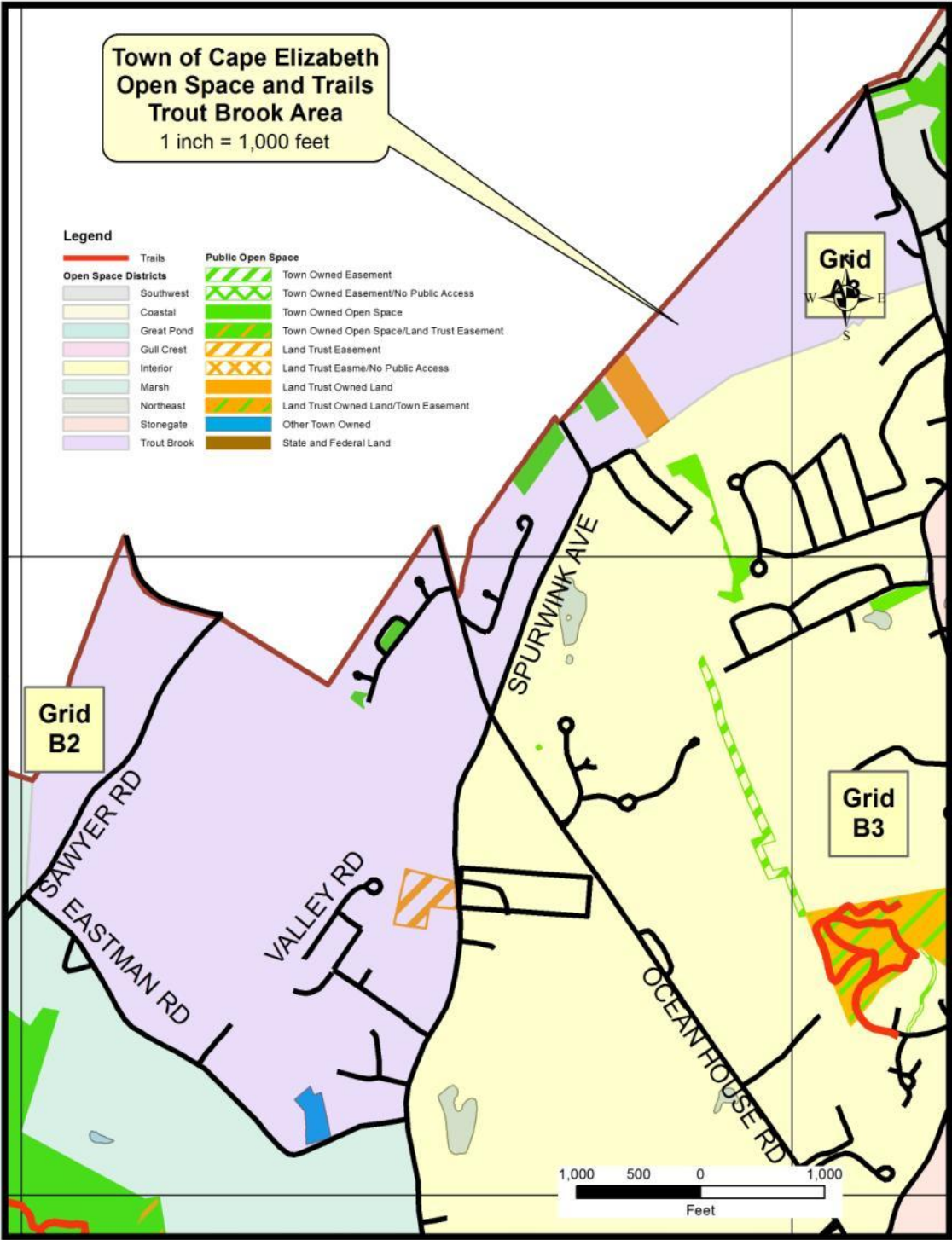
- 5
- 6 **Date of Town Ownership:** 1970
- 7 **Type of acquisition:** Tax acquired
- 8 **Deed restrictions summary:** None
- 9 **Public Access location:** Unknown
- 10 **Street Map Grid reference:** C2
- 11 **Physical characteristics:** The lot is 21,130 sq. ft. and located in a known wetland
- 12 area.
- 13 **Improvements:** Unknown
- 14 **Open Space:** Unknown

- 1 **Name:** Wildwood Easement
- 2
- 3 **Fee owner:** Wildwood Condominium Association
- 4
- 5 **Location (Map/Lot):** The easement is located south of Wildwood Rd (U24-9).



- 6
- 7 **Date of Town Ownership:** 1981
- 8 **Type of acquisition:** Development Review
- 9 **Deed restrictions summary:** The purpose is to preserve the property for non-
- 10 destructive, non-mechanized, and non-developed outdoor enjoyment and to
- 11 perpetuate the natural character of the property. The public may clear, mark,
- 12 maintain and outdoor recreational trail, including footbridges, for use by
- 13 members of the public. No cutting of trees and shrubs except to clear and restore
- 14 the forest cover that is damaged. No structures allowed. Access over Wildwood
- 15 Drive and Pleasant Valley Ave also conveyed to the public.
- 16 **Public Access location:** Access for the public is available from
- 17 Wildwood Drive, Pleasant Valley Ave and Lions Field.
- 18 **Street Map Grid reference:** C2
- 19 **Physical characteristics:** The 7.45 acre easement is wooded with wetlands and a
- 20 stream.
- 21 **Improvements:** A casual trail exists on the easement.
- 22 **Open Space:** The dominant use of the space is as open space.

1



2

Prepared by the Planning Office 5/5/2011

1 **Name:** Ferne Peddy Lots

2

3 **Location (Map/Lot):** Two lots are located on North Street (U29-38) and two more  
4 off Spurwink Ave adjacent to the South Portland municipal boundary (U29-29  
5 and 29A)

6



7

8 **Date of Town Ownership:** 2002, 1990, Unknown

9 **Type of acquisition:** Donation

10 **Deed restrictions summary:** None, unknown

11 **Public Access location:** Access for the public is available from North Street and  
12 Spurwink Ave.

13 **Street Map Grid reference:** A2

14 **Physical characteristics:** The two easterly lots equal 1.2 acres, plus land that  
15 would be added because of an adjacent street vacation. The lot is wetland. The  
16 Spurwink Ave lots (.47 acres and 2 acres) abut Trout Brook and are a  
17 combination of open field, woods, and wetland. The wetlands are part of a larger  
18 wetland and brook system, which suggests some wildlife habitat value.

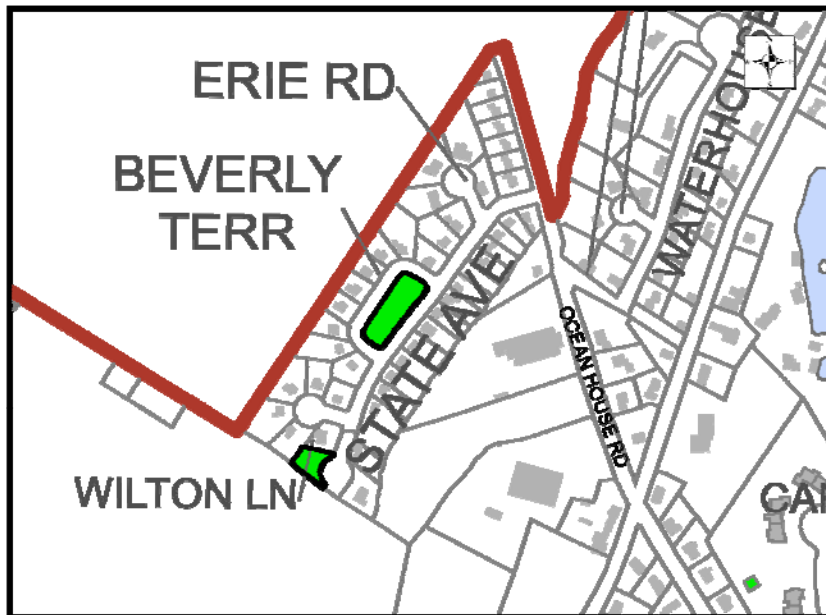
19 **Improvements:** The lots west of Spurwink Ave have the Trout Brook interceptor  
20 sewer line located along the northern property boundary and a sewer  
21 maintenance building is also located adjacent to Spurwink Ave.

22 **Open Space:** The dominant use of the lot is open space, with potential wildlife  
23 habitat due to the wetland, which is part of a larger wetland complex for the lots  
24 east of Spurwink Ave. The lots to the west are predominantly for public sewer  
25 infrastructure, but also support open space.

1 **Name:** Queen acres and State Ave Lot

2

3 **Location (Map/Lot):** Queen acres is a central common park area located in the  
4 State Ave neighborhood (U28-59). There is also a lot at the end of State Ave (U28-  
5 33B).



6

7 **Date of Town Ownership:** 1972, 1980

8 **Type of acquisition:** Donation, Tax Acquired

9 **Deed restrictions summary:** None

10 **Public Access location:** Access for the public is available from State Ave.

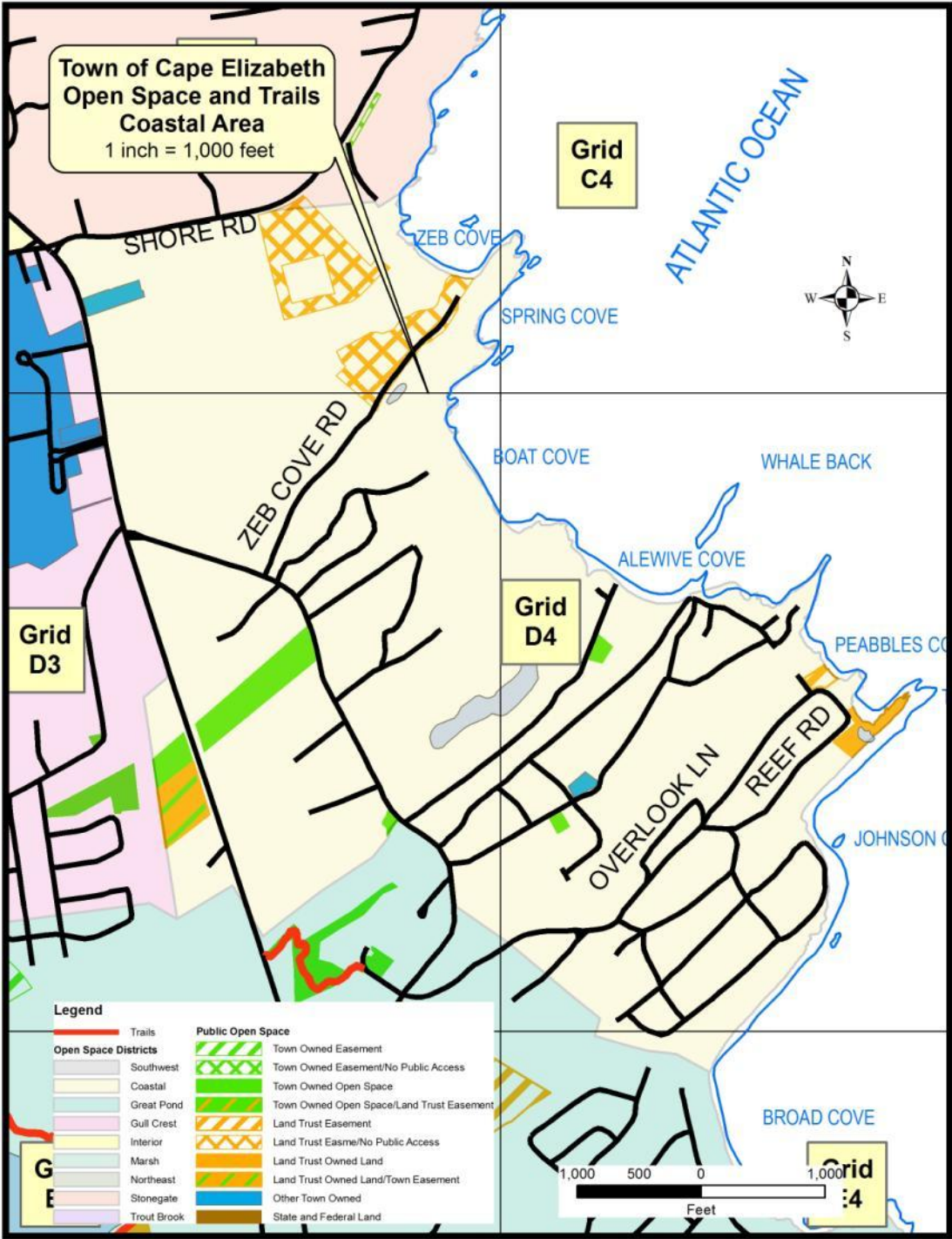
11 **Street Map Grid reference:** B2

12 **Physical characteristics:** Queen Acres park is 20,679 sq. ft (.47 acres) and an open  
13 field. The State Ave lot is 9,578 sq. ft. (.22 acres) and deemed unbuildable due to  
14 size.

15 **Improvements:** Queen Acres park is kept mowed. There are no improvements to  
16 the State Ave lot.

17 **Open Space:** The dominant use of both spaces is open space, although Queen  
18 Acres Park can support active recreation.

19



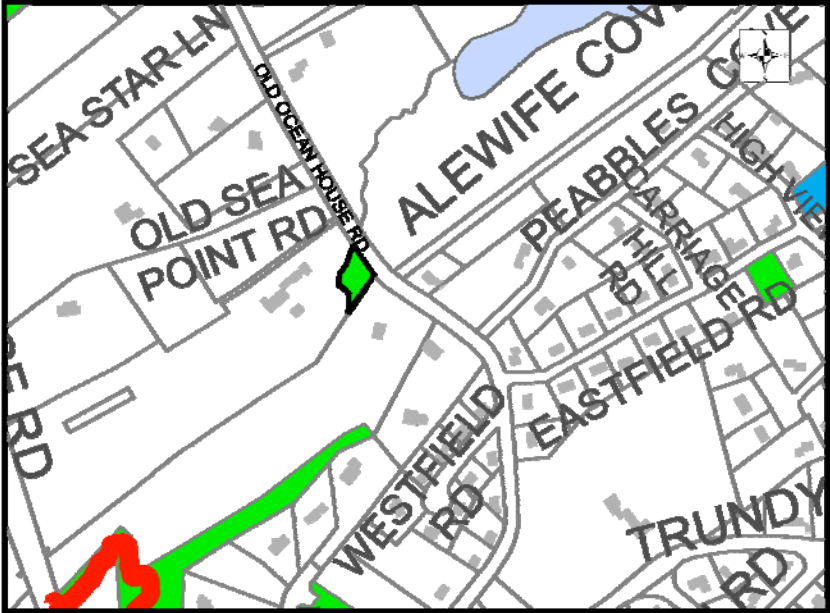
1

Prepared by the Planning Office 5/5/2011

1 **Name:** Alewife Brook Lot

2

3 **Location (Map/Lot):** The lot is located on Old Ocean House Rd and on Alewife  
4 Brook (R03-2).



5 **Date of Town Ownership:** 2004

6 **Type of acquisition:** Purchase from the Portland Water District

7 **Deed restrictions summary:** None

8 **Public Access location:** Access for the public is available from Old Ocean House  
9 Rd.

10 **Street Map Grid reference:** D3

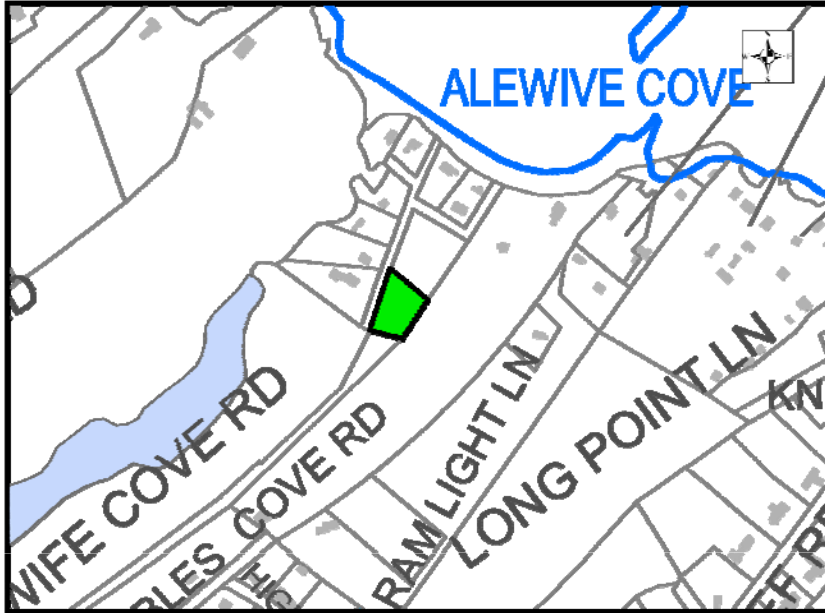
11 **Physical characteristics:** The lot is 11,000 sq. ft. (.25 acres) and is open field  
12 extending from the road to Alewife Brook. The site provides access to monitor  
13 and potentially in the future harvest alewives.

14 **Improvements:** There are no improvements on the property.

15 **Open Space:** The dominant use of the property is as unimproved open space.  
16

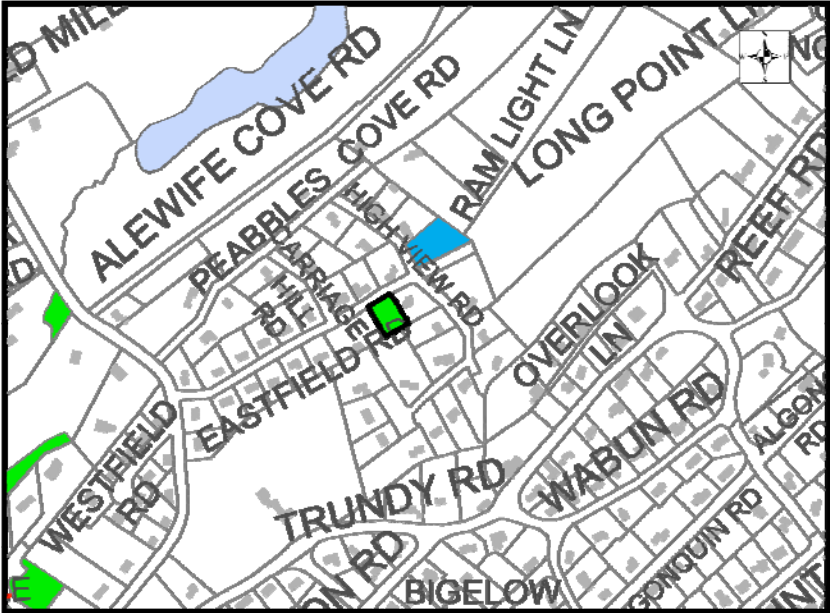


- 1 **Name:** Alewife Cove Lot
- 2
- 3 **Location (Map/Lot):** 34 Alewife Cove Rd (R3-3A10)



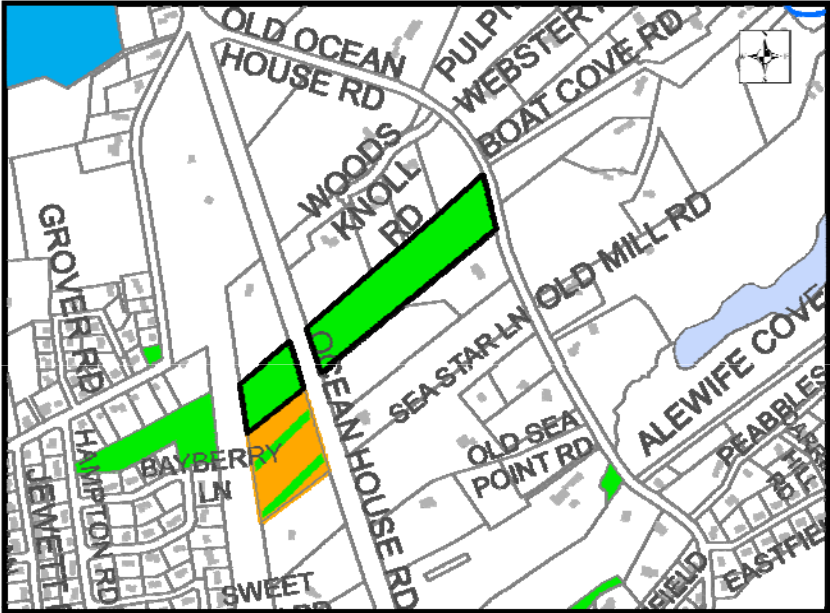
- 4
- 5 **Date of Town Ownership:** 1976
- 6 **Type of acquisition:** Tax acquired
- 7 **Deed restrictions summary:** None
- 8 **Public Access location:** None. Access is available only from Alewife Cove Rd,
- 9 which is a private road. Only those who have a right to use Alewife Cove Rd
- 10 may access the property.
- 11 **Street Map Grid reference:** D4
- 12 **Physical characteristics:** The lot is .53 acres and predominantly wetland
- 13 meadow.
- 14 **Improvements:** None
- 15 **Open Space:** The dominant use of the lot is as open space and flood control,
- 16 however, access to the lot is over a private road, limiting public access.

- 1 **Name:** Eastfield Lot
- 2
- 3 **Location (Map/Lot):** This lot is located on Eastfield Rd (U42-1-29).



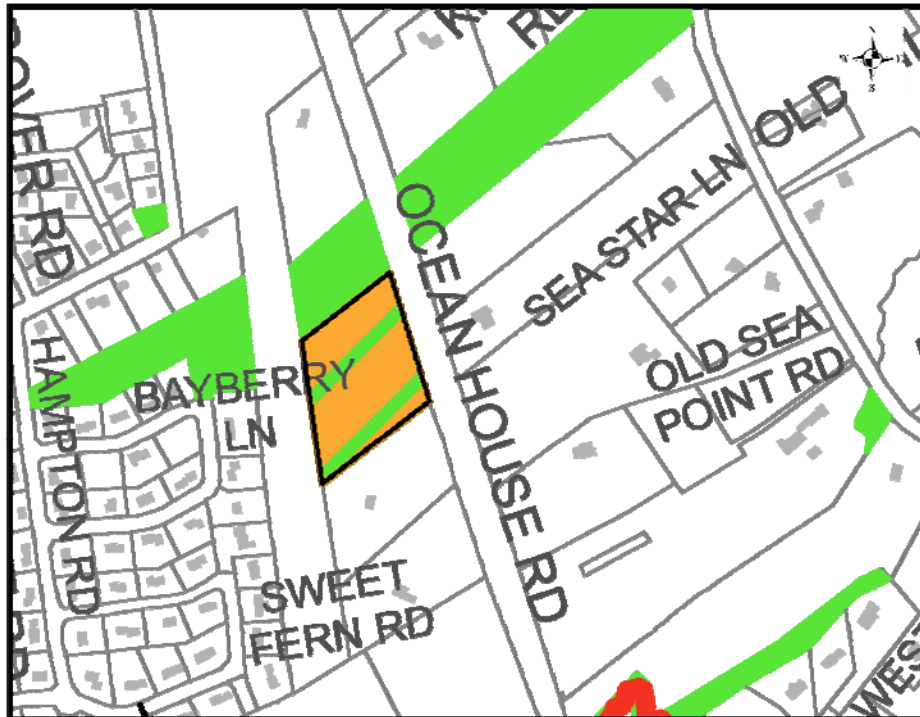
- 4
- 5 **Date of Town Ownership:** 1995
- 6 **Type of acquisition:** Conveyance as part of a lawsuit settlement
- 7 **Deed restrictions summary:** None, but restricted per zoning and law suit
- 8 decision.
- 9 **Public Access location:** Access for the public is available from Eastfield Rd.
- 10 **Street Map Grid reference:** D4
- 11 **Physical characteristics:** The lot is a wetland. It is surrounded by development
- 12 and may have only limited wildlife habitat value because it is not connected to a
- 13 larger wetland complex.
- 14 **Improvements:** None.
- 15 **Open Space:** The dominant use is open space.

- 1 **Name:** Davis Woods
- 2
- 3 **Location (Map/Lot):** Old Ocean House and Ocean House Rd (R2-13 and 13A).

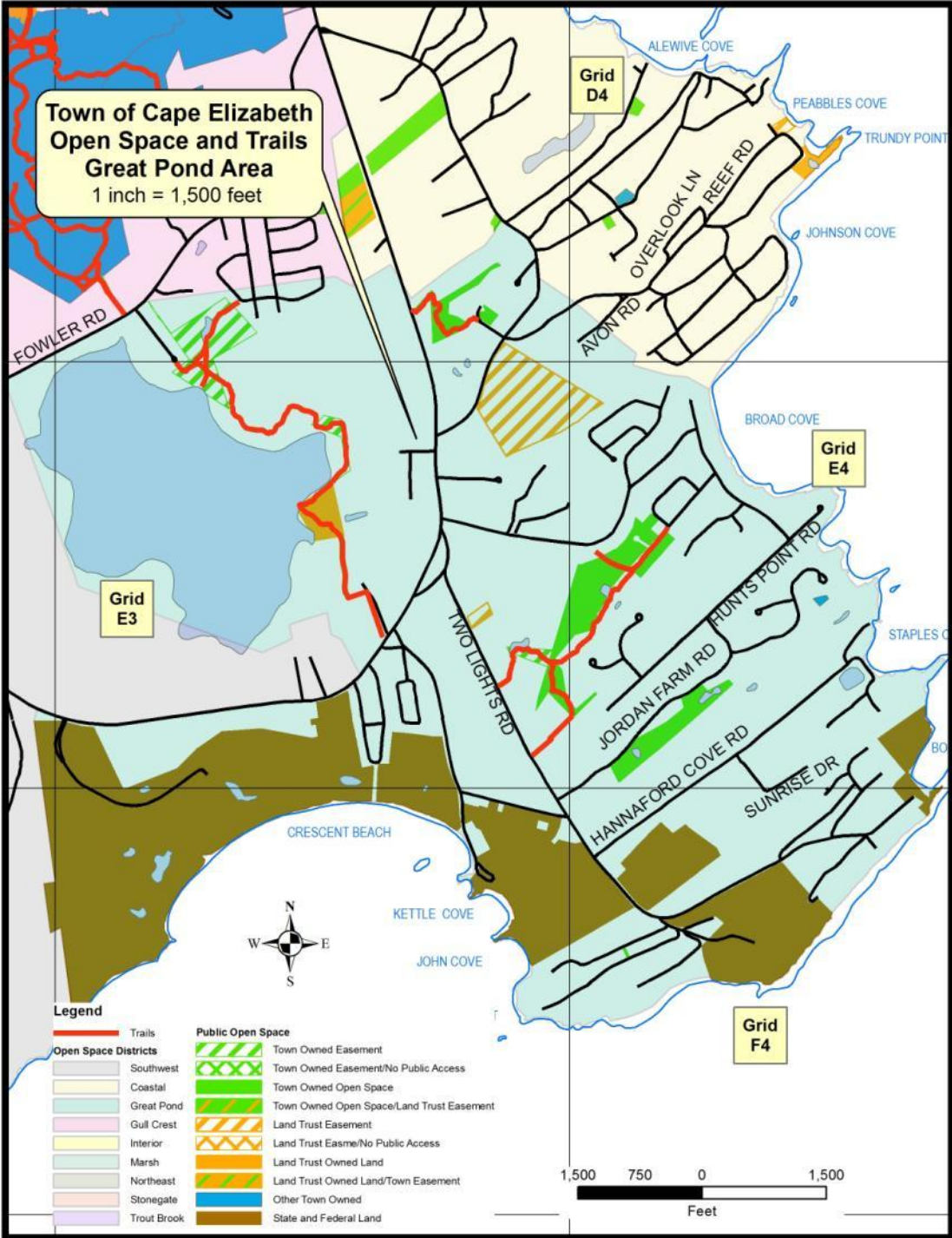


- 4
- 5 **Date of Town Ownership:** 1963
- 6 **Type of acquisition:** donation
- 7 **Deed restrictions summary:** None
- 8 **Public Access location:** Access for the public is available from Old Ocean House
- 9 and Ocean House Rd.
- 10 **Street Map Grid reference:** D3
- 11 **Physical characteristics:** This parcel is divided by Ocean House Rd. It has a total
- 12 of 7.25 acres, with 5.25 acres to the east of Ocean House Rd and 2 acres to the
- 13 west. It is predominantly wooded and wetland.
- 14 **Improvements:** There are no improvements on this lot
- 15 **Open Space:** The dominant use of the lot is as open space, more specifically a
- 16 wooded lot.

- 1 **Name:** Richardson-Poole Easement
- 2
- 3 **Fee owner:** Cape Elizabeth Land Trust
- 4
- 5 **Location (Map/Lot):** The easement covers a lot located on Ocean House Rd (R2-
- 6 15A)



- 7
- 8 **Date of Town Ownership:** 1994
- 9 **Type of acquisition:** donation
- 10 **Deed restrictions summary:** Preserve the property in its present state for
- 11 outdoor recreation by protecting the wooded, scenic character of that section of
- 12 Route 77. No structures are allowed, although boardwalks are permitted. Public
- 13 access is limited to daytime, non-motorized use, except that rules may be made
- 14 to allow other types of use.
- 15 **Public Access location:** Access for the public is available from Ocean House Rd.
- 16 **Street Map Grid reference:** D3
- 17 **Physical characteristics:** The lot is 3.42 acres and wooded.
- 18 **Improvements:** None
- 19 **Open Space:** The dominant use of the property is open space.



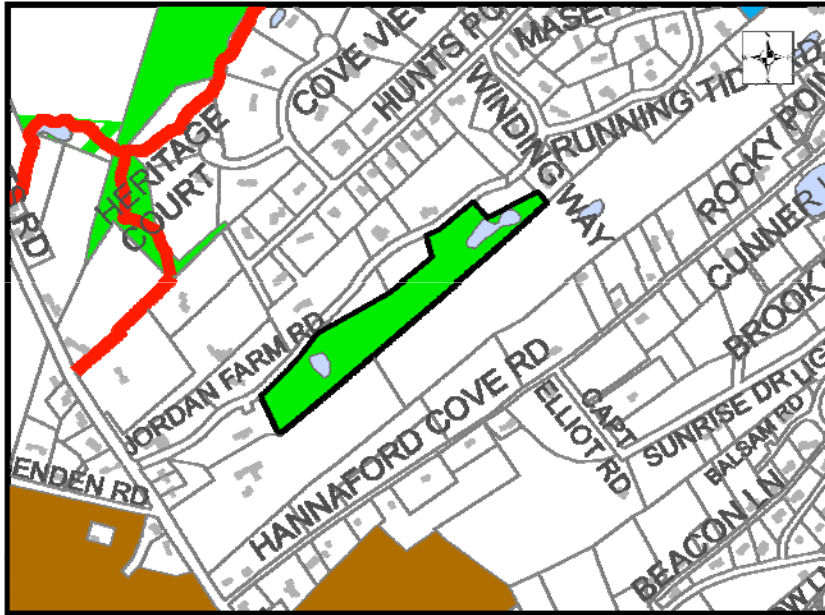
1

Prepared by the Planning Office 5/5/2011

1 **Name:** Broad Cove Lot

2

3 **Location (Map/Lot):** The lot is located on the south side of Jordan Farm Rd (U55-  
4 7).



5

6 **Date of Town Ownership:** 1991

7 **Type of acquisition:** Acquired through development review.

8 **Deed restrictions summary:** The property is restricted to passive use only, such  
9 as walking, jogging, bird watching, nature observation and shall not be used for  
10 active recreational uses, such as organized sports, playfields, bicycle  
11 tournaments, track events. No structures shall be allowed on the property, nor  
12 snowmobiles, all-terrain vehicles, motorcycles, trail bikes and all-terrain bicycles.  
13 Existing vegetation shall be preserved, except as may be necessary for paths and  
14 walkways and existing drainage patterns shall be protected.

15 **Public Access location:** Access for the public is available from Jordan Farm Rd.

16 **Street Map Grid reference:** E4

17 **Physical characteristics:** The site is 8.3 acres and almost exclusively densely  
18 vegetated wetland.

19 **Improvements:** A trail has previously been marked on the property, but not  
20 installed and maintained so that no trail currently exists.

21 **Open Space:** The dominant function of the lot is open space.

1 **Name:** Broad Cove Trails

2

3 **Location (Map/Lot):** This collection of lots is located at the end of Pine Ridge Rd  
4 with access from Broad Cove Rd also available (U36-84, 93-104) and land north of  
5 Cove View and Heritage Court Rd.  
6



7

8 **Date of Town Ownership:** 1994, 1991

9 **Type of acquisition:** Purchase (\$25,000) and acquired through development  
10 review

11 **Deed restrictions summary:** None for the lots; the large lot is restricted to  
12 passive use only, such as walking, jogging, bird watching, nature observation  
13 and shall not be used for active recreational uses, such as organized sports,  
14 playfields, bicycle tournaments, track events. No structures shall be allowed on  
15 the property, nor snowmobiles, all-terrain vehicles, motorcycles, trail bikes and  
16 all-terrain bicycles. Existing vegetation shall be preserved, except as may be  
17 necessary for paths and walkways and existing drainage patterns shall be  
18 protected.

19 **Public Access location:** Access for the public is available from Pine Ridge Rd,  
20 Broad Cove Rd and Two Lights Rd.

21 **Street Map Grid reference:** E4

22 **Physical characteristics:** The lots comprise 6.72 acres plus 13.9 acres, for a total of  
23 20.62 acres, and are located in a forested wetland, which includes at least 1 pond  
24 and a stream.

25 **Improvements:** The remains of a construction road provides a stable trail base.  
26 Additional trails have been constructed.

27 **Open Space:** The dominant use of the land is for open space.

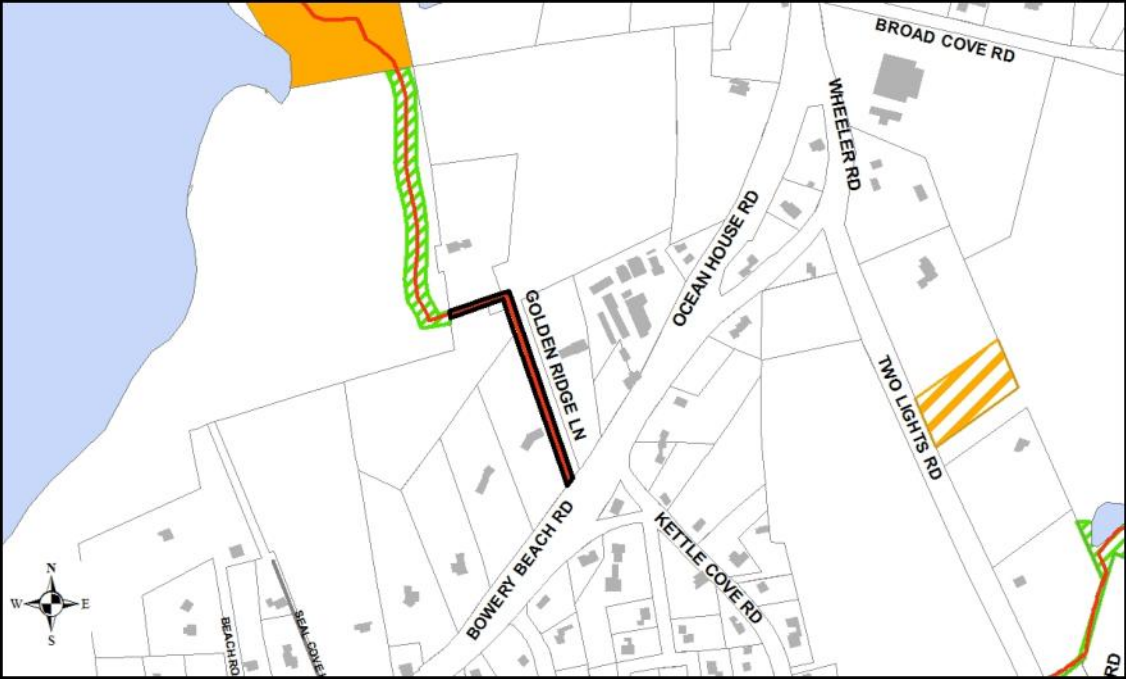
1 **Name:** Great Pond Golden Ridge Pedestrian Easement

2

3 **Fee owner:** Golden Ridge LLC

4

5 **Location (Map/Lot):** The easement is located on the west side of the Golden  
6 Ridge Lane private road right-of-way(U17-50).



7

8 **Date of Town Ownership:** 2005

9 **Type of acquisition:** Acquired through development review

10 **Deed restrictions summary:** Public access along easement is provided.

11 **Public Access location:** Access for the public is available from Route 77 and the  
12 Great Pond Trails.

13 **Street Map Grid reference:** E3

14 **Physical characteristics:** The easement is 15,102 sq. ft. and the path is adjacent to  
15 Golden Ridge Lane and lightly wooded.

16 **Improvements:** The trail has a wood chip surface and culvert.

17 **Open Space:** The dominant use of the easement is access to the Great Pond  
18 Trails.



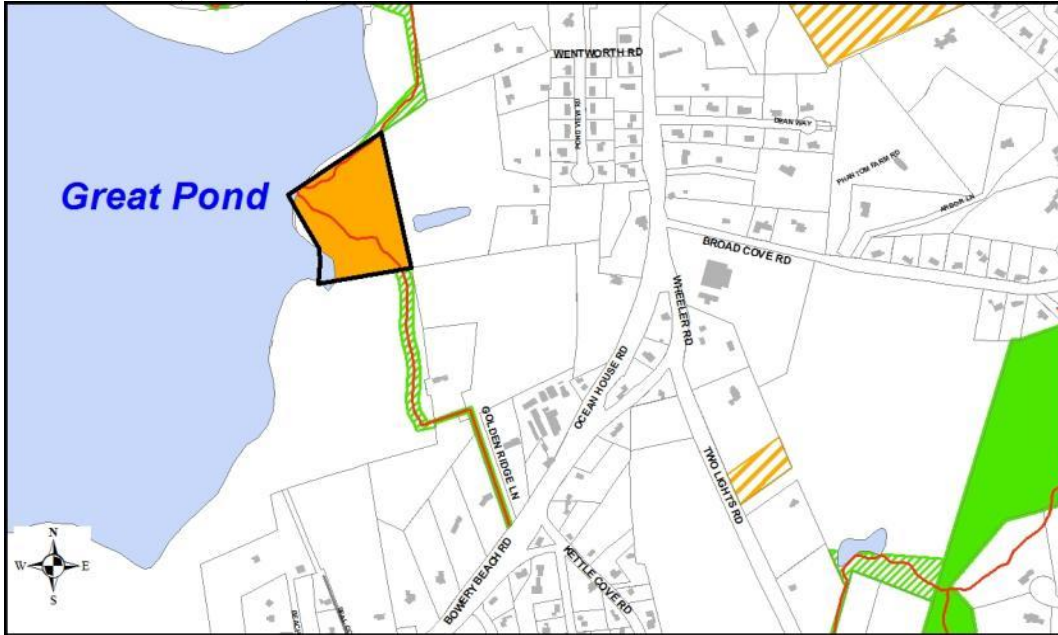
1 **Name:** Great Pond CELT

2

3 **Fee owner:** Cape Elizabeth Land Trust

4

5 **Location (Map/Lot):** The parcel is located adjacent to Great Pond with no direct  
6 road access (U18-14C).



7

8 **Date of Easement Ownership:** 1990

9 **Type of acquisition:** Purchase

10 **Deed restrictions summary:**

11 **Public Access location:** Access for the public is available from pedestrian  
12 easements owned by the Town extending from Golden Ridge Lane and  
13 easements extending from Fenway Rd over the Great Pond trail system.

14 **Street Map Grid reference:** E3

15 **Physical characteristics:** The parcel is 5.9 acres in size and almost completely  
16 wooded. It includes a commanding overlook and views of Great Pond from the  
17 highest point adjacent to the pond.

18 **Improvements:** The parcel includes a trail section that is part of the Great Pond  
19 Trail system.

20 **Open Space:** The dominant use of the parcel is for open space.

1 **Name:** Great Pond Condos Easement

2

3 **Fee owner:** Great Pond Condominium Association

4

5 **Location (Map/Lot):** The easement is located northwest of Great Pond (R6-28-  
6 999).



7

8 **Date of Town Ownership:** 1984

9 **Type of acquisition:** Acquired through development review

10 **Deed restrictions summary:** The public has the right to enter and transit the  
11 property for quiet recreational enjoyment, to construct and maintain foot trails,  
12 but not to operate motorized vehicles. The property shall be used for  
13 conservation and recreational purposes only. The cutting of standing timber is  
14 prohibited, but the removal of dead wood, clearing new growth in open fields  
15 and selective pruning is allowed.

16 **Public Access location:** Access for the public is available from a paper street off  
17 Vernon Rd and Great Pond Trails.

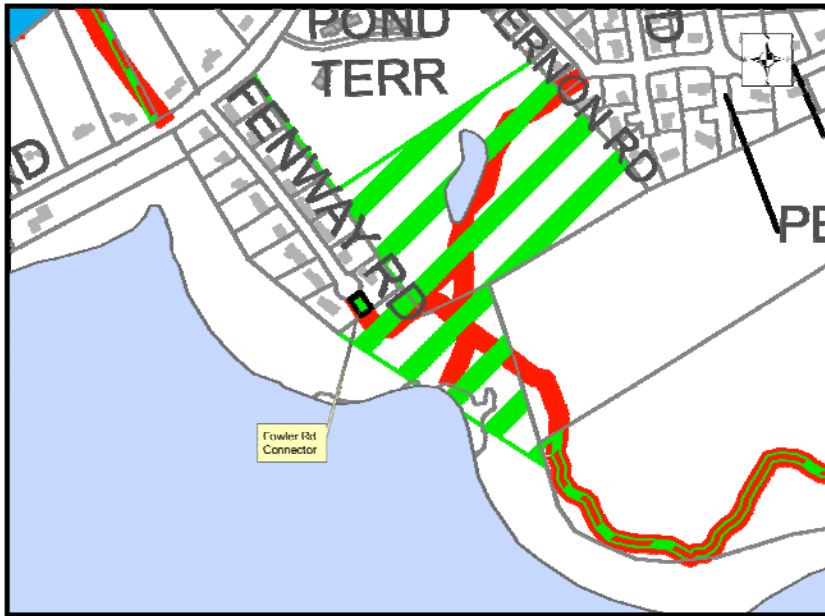
18 **Street Map Grid reference:** D3

19 **Physical characteristics:** The site is 9.51 acres and is a mix of wooded and open  
20 fields and includes a spring fed pond and former sand pit.

21 **Improvements:** There is a trail extending from Vernon Rd that runs alongside a  
22 pond, includes a small bridge, and connects to the Great Pond Trail system.

23 **Open Space:** The dominant use of the area is open space.

- 1 **Name:** Great Pond Fenway Connector
- 2
- 3 **Location (Map/Lot):** The lot is located at the end of Fenway Rd (U44-35).



- 4
- 5 **Date of Town Ownership:** 2002
- 6 **Type of acquisition:** Donation
- 7 **Deed restrictions summary:** Must maintain drainage functions.
- 8 **Public Access location:** Access for the public is available from the end of Fenway
- 9 Rd and from the Great Pond Trails.
- 10 **Street Map Grid reference:** E3
- 11 **Physical characteristics:** The land is mowed grass.
- 12 **Improvements:** It is maintained as a lawn.
- 13 **Open Space:** The dominant use of the space is as access to open space.

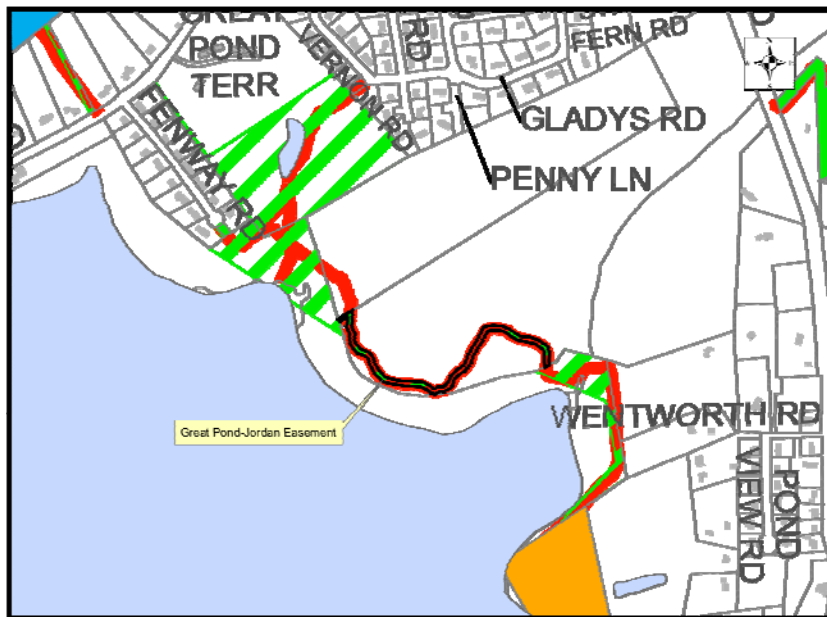
1 **Name:** Great Pond Jordan Pedestrian asement

2

3 **Fee owner:** Jodie and Patricia Jordan

4

5 **Location (Map/Lot):** The easement is located on land bordering the northern  
6 shore of Great Pond (R3-2A). The easement is 15' wide and meanders along the  
7 north side of Great Pond, connecting to the Sprague easement on both ends.



8

9 **Date of Town Ownership:** 2009

10 **Type of acquisition:** Purchase

11 **Deed restrictions summary:** The right of the public to construct and maintain  
12 trails and footbridges and remove debris for the purpose of public recreation. No  
13 alcoholic beverages, fires or parking is allowed on the easement.

14 **Public Access location:** Access for the public is available from easements  
15 extending from Route 77 and from easements at the end of Fenway Rd.

16 **Street Map Grid reference:** E3

17 **Physical characteristics:** The easement is 15' wide and 1,334' in length for a total  
18 of 20,010 sq. ft. and located in a wooded area with periodic views of Great Pond.

19 **Improvements:** The trail has been cleared and includes a bridge and signage.

20 **Open Space:** The dominant use of the easement is for open space.

1 **Name:** Great Pond Sprague Easement

2

3 **Fee owner:** Sprague Corporation

4

5 **Location (Map/Lot):** The easement extends from the area abutting the end of  
6 Fenway Rd to the Glew property and then also from Alewife Brook to Golden  
7 Ridge Lane, off Route 77 (R6-29)



8

9 **Date of Town Ownership:** 1983, partial replacement in 2009

10 **Type of acquisition:** Acquired through development review

11 **Deed restrictions summary:** The public has the right to travel by foot over and  
12 across property, provided that no motorized or mechanized vehicles or  
13 snowmobiles shall be permitted. Construction and maintenance of public  
14 pathways is permitted. Grantee may make minor improvements to trail system  
15 and may make major improvements, such as a pile mounted dock system with  
16 the approval of grantor. The most westerly portion adjacent to Fenway Rd  
17 includes boat storage and access provisions.

18 **Public Access location:** Access for the public is available from Route 77 and  
19 Fenway Rd

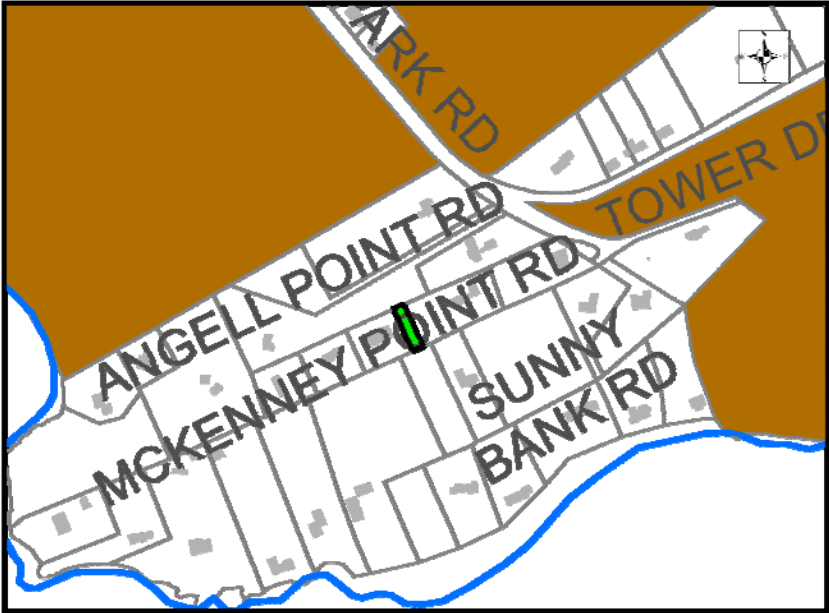
20 **Street Map Grid reference:** E3

21 **Physical characteristics:** The easement area is predominantly wooded, with  
22 some sandy areas and many view of Great Pond, Alewife Brook and their  
23 associated wetlands. Great Pond is rated high value for wildlife habitat. The  
24 easement including boat storage and access is 5 acres, more or less. The Alewife  
25 Brook section is 1.6 acres, more or less.

26 **Improvements:** The easement include a well-developed trail system, including  
27 stone steps and a boardwalk along the water's edge of Great Pond and a seasonal  
28 boat rack facility within walking distance to a sandy boat launch area.

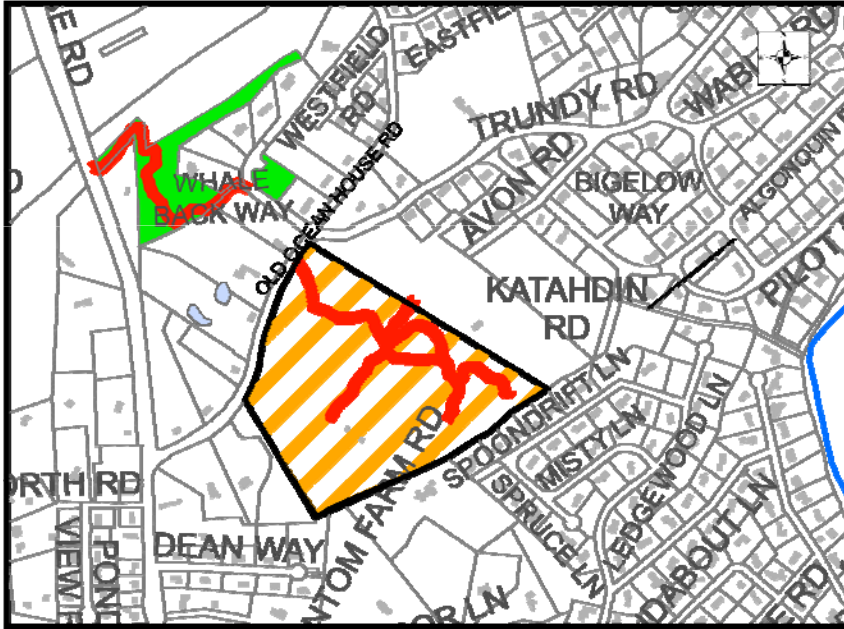
29 **Open Space:** The dominant use of the area is for open space and recreational,  
30 including the best town freshwater boat access.

- 1 **Name:** McKenney Point Lot
- 2
- 3 **Location (Map/Lot):** The lot is located on McKenney Point Rd (U41-9).



- 4
- 5 **Date of Town Ownership:** 1969
- 6 **Type of acquisition:** Tax Acquired
- 7 **Deed restrictions summary:** None
- 8 **Public Access location:** Uncertain
- 9 **Street Map Grid reference:** F4
- 10 **Physical characteristics:** The site is 4,653 sq. ft.
- 11 **Improvements:** Unknown
- 12 **Open Space:** The dominant use is open space.

- 1 **Name:** Turkey Hill Farm Easement - CELT
- 2
- 3 **Fee owner:** Turkey Hill Farm LLC
- 4
- 5 **Location (Map/Lot):** The property is located at 120 Old Ocean House Rd (R3-20).



- 6
- 7 **Date of Easement Ownership:** 2009
- 8 **Type of acquisition:** Donation
- 9 **Deed restrictions summary:** The intent of the easement is (1) to protect the use of
- 10 the property by the public for hiking, nature observation, cross-country skiing,
- 11 and low-impact recreation, (2) to preserve the natural, scenic and ecological
- 12 features, and (3) preserve agricultural, environment educational and forestry
- 13 activities.
- 14 **Public Access location:** Access for the public is available from Old Ocean House
- 15 Rd. This property is located across the street from Whaleback Way, which
- 16 includes Town owned open space and trail connections.
- 17 **Street Map Grid reference:** E2
- 18 **Physical characteristics:** The easement covers 23.69 acres of the 25 acre site and is
- 19 a combination of open fields and woods.
- 20 **Improvements:** The parcel includes a working farm with related accessory
- 21 buildings.
- 22 **Open Space:** The dominant use of the space is agriculture and education, with
- 23 open space as a subordinate use.

1 **Name:** Two Lights Pond Pedestrian Easement

2

3 **Fee owner:** Peter and Pam Mullin

4

5 **Location (Map/Lot):** The pedestrian easement is located on the east side of the lot  
6 located at 44 Two Lights Rd (U37-5-3).



7

8 **Date of Town Ownership:** 1988 (Third party enforcement rights, easement  
9 holder is Cape Elizabeth Land Trust)

10 **Type of acquisition:** Acquired through development review

11 **Deed restrictions summary:** The purpose of the easement is to foster responsible  
12 conservation practices while permitting passive recreational uses. The public has  
13 the right to use the property for day hiking and skiing and other forms of passive  
14 outdoor recreation during the hours of sunrise to sunset, to establish and relocate  
15 appropriate pedestrian footpaths throughout the property. The public may use  
16 small, soft-treaded motorized vehicles on the property when necessary to  
17 exercise the easement rights, however, the property shall be used for passive,  
18 non-motorized recreational and conservation purposes only.

19 **Public Access location:** Access for the public is available from Two Lights Rd  
20 and the Broad Cove Trails.

21 **Street Map Grid reference:** E3

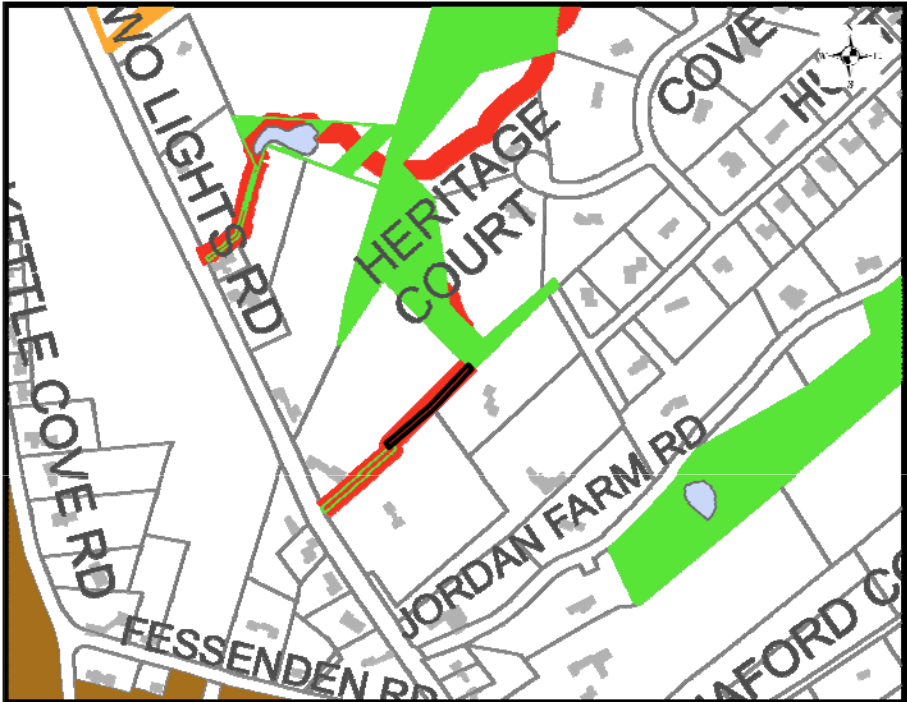
22 **Physical characteristics:** The easement is 15' wide 374' long equaling  
23 approximately 5,610 sq. ft and is in a wooded and wetland area.

24 **Improvements:** The land owners have installed a wire fence along separating  
25 the easement from the remainder of their lot.

26 **Open Space:** The dominant use of the space is as open space and as part of the  
27 lawn area and secondary access of the abutting land owner (Hollidge).



1 **Name:** Two Lights Sullivan Pedestrian Easement  
 2  
 3 **Fee owner:** Louise Sullivan  
 4  
 5 **Location (Map/Lot):** The easement is located on the east side of the lot located at  
 6 72 Two Lights Rd (U39-3).  
 7



8  
 9 **Date of Town Ownership:** 2002  
 10 **Type of acquisition:** Donation  
 11 **Deed restrictions summary:** The purpose of the easement is to provide access  
 12 over and across the property for walking, jogging, skiing hiking and sightseeing,  
 13 as well as to provide access for general education activities. No structure other  
 14 than pathways, boardwalks, steps and signs approved for marking by the Cape  
 15 Elizabeth greenbelt shall be erected or located and no fires are allowed at any  
 16 time.  
 17 **Public Access location:** Access for the public is available from Two Lights Rd  
 18 and the Broad Cove Trails  
 19 **Street Map Grid reference:** E3  
 20 **Physical characteristics:** The easement is 20' wide and approximately 340' long  
 21 for a total of 6,805 sq. ft., more or less. The easement consists of open field and  
 22 dense scrub wetland.  
 23 **Improvements:** The easement is periodically mowed.  
 24 **Open Space:** The dominant use of the easement is open space.

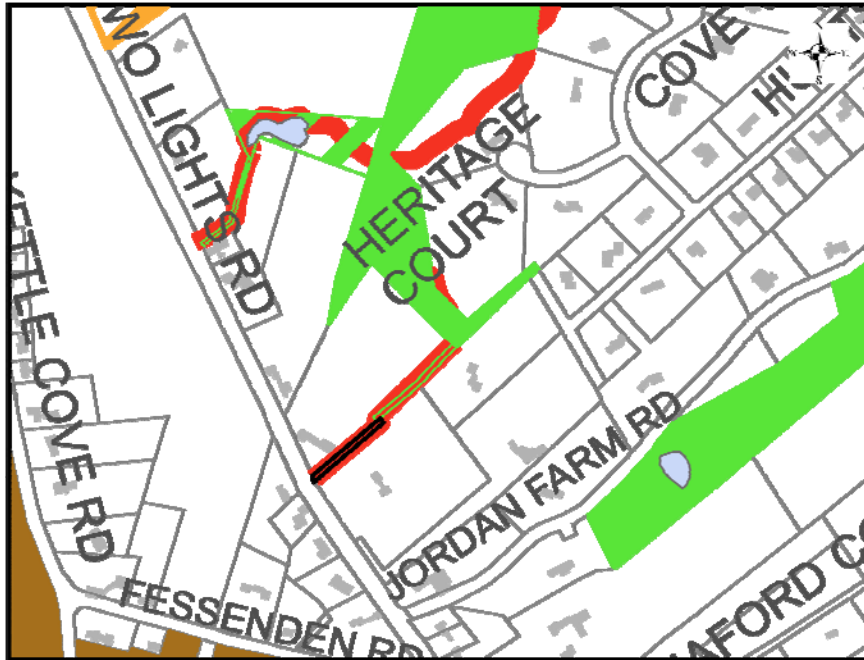
1 **Name:** Two Lights Pillsbury Pedestrian Easement

2

3 **Fee owner:** Graham and Susan Pillsbury

4

5 **Location (Map/Lot):** The easement is located on the western side of the lot  
6 located at 76 Two Lights Rd (U39-4-1).



7

8 **Date of Town Ownership:** 2002

9 **Type of acquisition:** Donation

10 **Deed restrictions summary:** The purpose of the easement is to provide access  
11 over and across for public recreational activities such as walking, jogging, skiing,  
12 hiking, sightseeing and harvesting and gathering of forest products as well as  
13 general education activities. No structures other than boardwalks, steps and  
14 signs approved for marking by the Cape Elizabeth greenbelt shall be erected and  
15 no fires or motorized or mechanized vehicles are allowed.

16 **Public Access location:** Access for the public is available from the Two Lights  
17 Sullivan Pedestrian Easement and the Broad Cove Trails.

18 **Street Map Grid reference:** E3

19 **Physical characteristics:** The easement is 15' wide, approximately 368' long and  
20 contains 5,498 sq. ft, more or less. The easement is located in a dense  
21 scrub/wetland area.

22 **Improvements:** A path is periodically mowed.

23 **Open Space:** The dominant use of the easement is for open space.

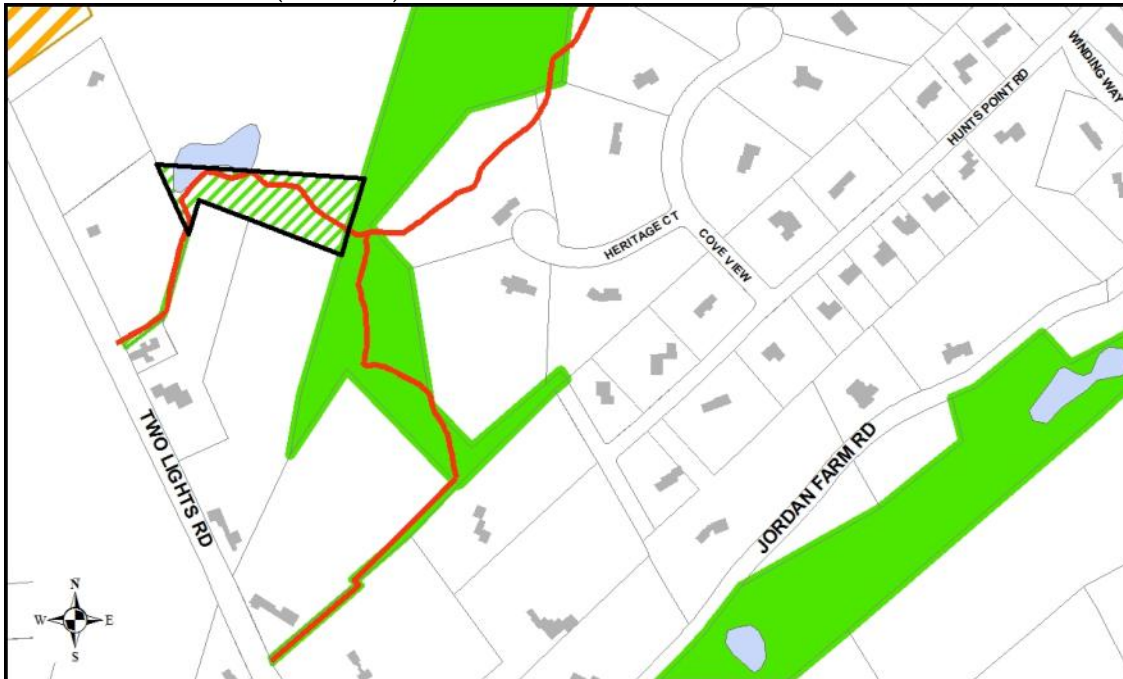
1 **Name:** Two Lights St. Bart's Pond Easement

2

3 **Fee owner:** Sangamon Associates

4

5 **Location (Map/Lot):** The easement is located at the rear (southeast corner) of a lot  
6 on Broad Cove Rd (U37-4-1).



7

8 **Date of Town Ownership:** 1999

9 **Type of acquisition:** Acquired through development review

10 **Deed restrictions summary:** The recreational trail easement includes the right to  
11 construct and maintain a boardwalk. If the boardwalk falls into disrepair, the  
12 grantor reserves the right to either repair the boardwalk or extinguish the  
13 easement and allow the land to revert to its former condition.

14 **Public Access location:** Access for the public is available from the Two Lights Rd  
15 Pond easement and from the Broad Cove Trails.

16 **Street Map Grid reference:** E3

17 **Physical characteristics:** The easement is 74,150 sq. ft and a forested wetland  
18 including a pond.

19 **Improvements:** The easement includes a rustic boardwalk system over wetlands  
20 and a footbridge over one end of the pond.

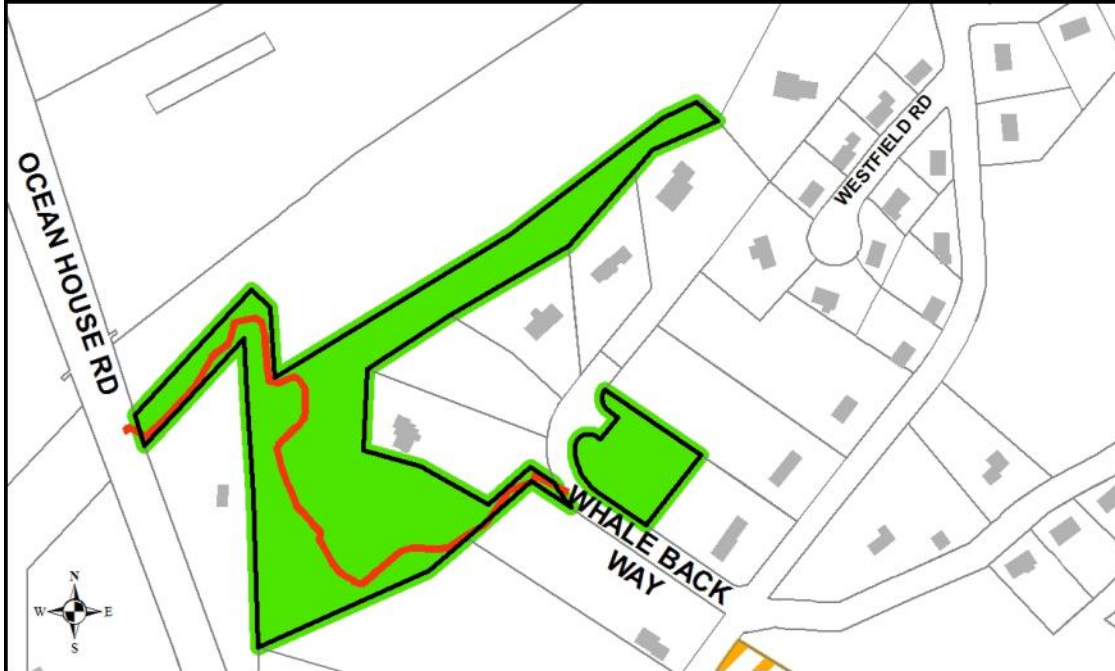
21 **Open Space:** The dominant use of the easement is for open space.

1 **Name:** Whaleback Trails

2

3 **Location (Map/Lot):** The property includes two lots, both with access from  
4 Whaleback Way. The larger lot extends to Route 77 (R3-17A).

5



6  
7 **Date of Town Ownership:** 2001

8 **Type of acquisition:** Acquired through development review.

9 **Deed restrictions summary:** The property is restricted to passive use such as  
10 walking, jogging, hiking, sightseeing, bird watching, harvesting and gathering  
11 forest products and general education. No buildings or significant improvements  
12 shall be constructed except boardwalks, steps, and signs for the greenbelt.  
13 Snowmobiles, all-terrain vehicles, motorcycles, trail bikes are not permitted.

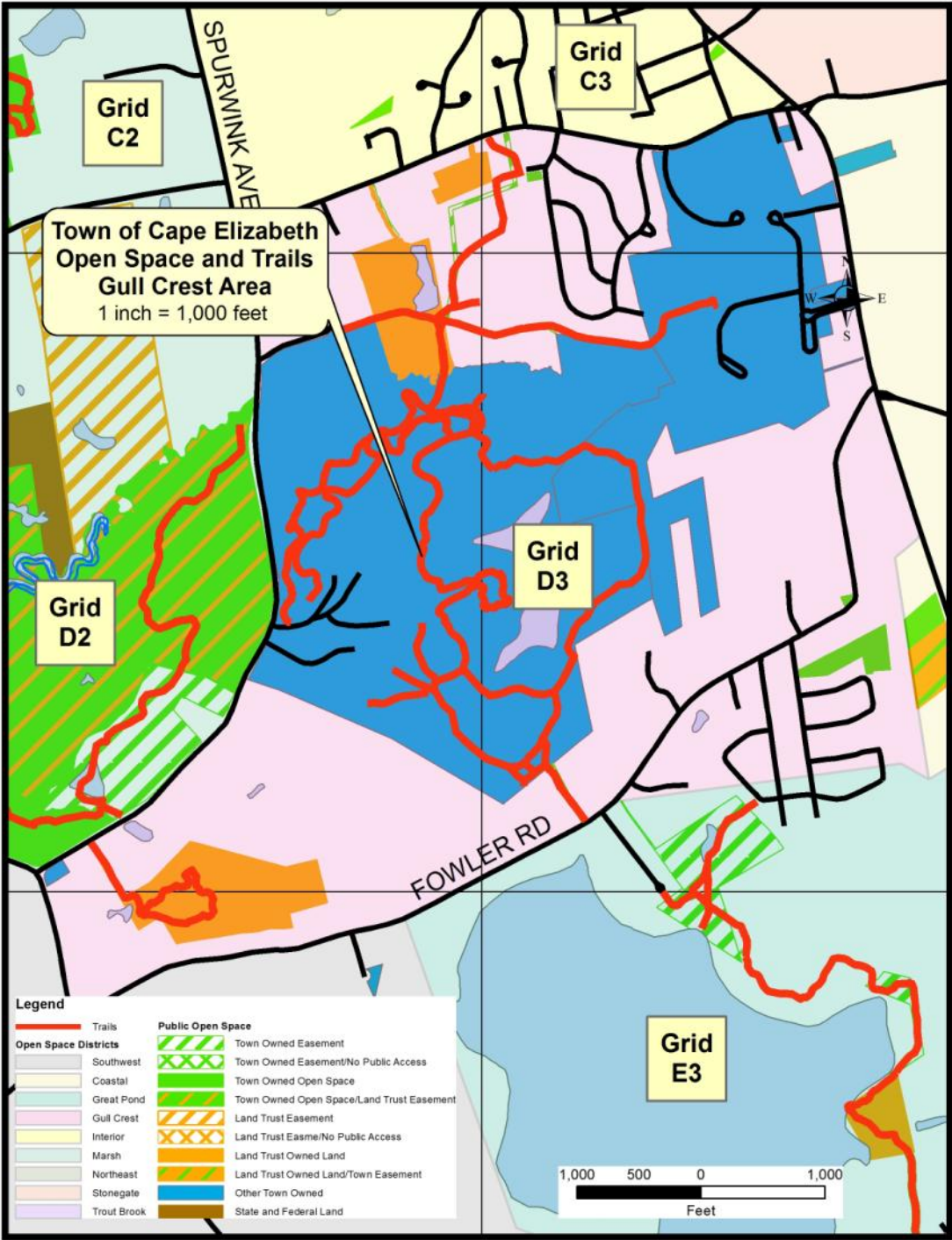
14 **Public Access location:** Access for the public is available Whaleback Way and  
15 Ocean House Rd.

16 **Street Map Grid reference:** D3

17 **Physical characteristics:** The site includes 2 parcels totaling 5.2 acres. The .63 acre  
18 lot has frontage only on Whaleback Way and the 4.63 acre lot extends from  
19 across the street of the first parcel to Route 77. Both lots are heavily vegetated  
20 with dense shrubs. The larger of the two lots also includes a wooded area, views  
21 of a medium size stream and wetlands heavily used by deer.

22 **Improvements:** The larger lot has a trail that extends from Whaleback Way to  
23 Route 77. The Route 77 end of the trail is steeply sloped up to Route 77.

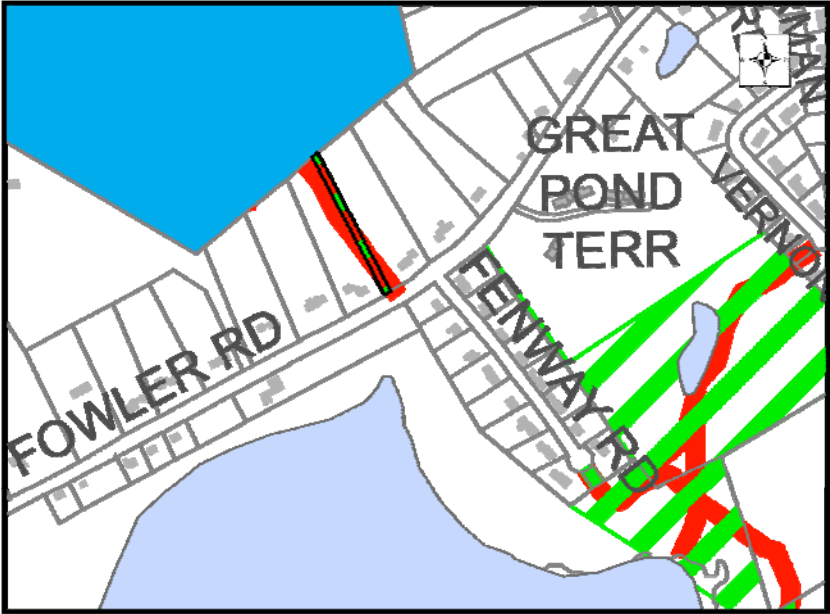
24 **Open Space:** The dominant use of the land is open space.



1

Prepared by the Planning Office 5/5/2011

- 1 **Name:** Fowler Rd Connector Pedestrian Easement
- 2
- 3 **Fee owner:** Robert and Becky Malley
- 4
- 5 **Location (Map/Lot):** The easement is located on the east side of the lot located at
- 6 183 Fowler Rd.



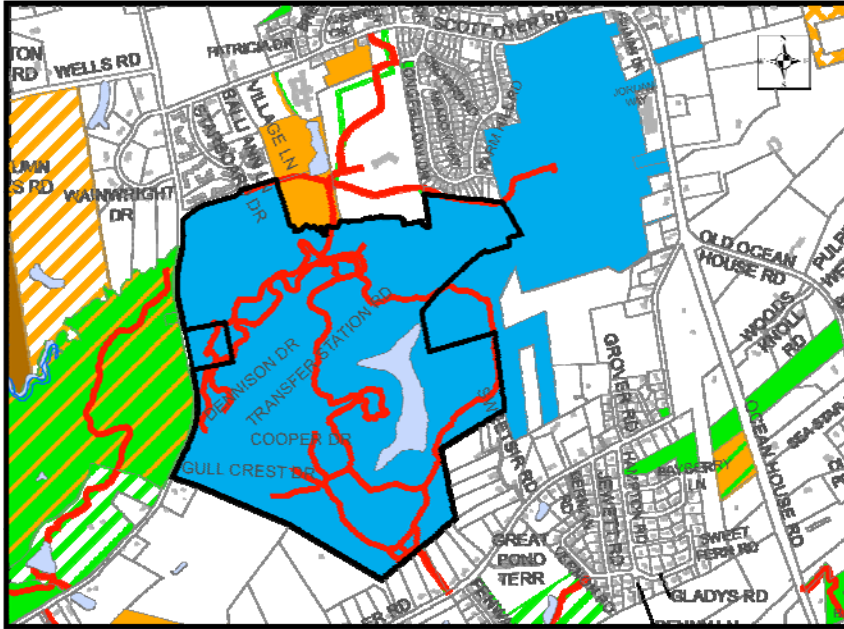
- 7
- 8 **Date of Town Ownership:** 2003
- 9 **Type of acquisition:** Purchase
- 10 **Deed restrictions summary:** The purpose of the easement is to provide access
- 11 over and across for public recreational activities such as walking, jogging, skiing,
- 12 hiking, and sightseeing, as well as general education activities. No motorized
- 13 vehicles are allowed.
- 14 **Public Access location:** Access for the public is available from Fowler Rd and
- 15 Gull Crest
- 16 **Street Map Grid reference:** D3
- 17 **Physical characteristics:** The easement is 15' wide by 520' long for a total of 7,793
- 18 sq. ft. and a mowed lawn.
- 19 **Improvements:** The easement is maintained as lawn.
- 20 **Open Space:** The dominant use is access to Gull Crest adjacent to a private lawn.

- 1 **Name:** Fowler Rd corner lot
- 2
- 3 **Location (Map/Lot):** The lot is located on the inside corner of Fowler Rd, north of
- 4 Grover Rd.



- 5
- 6 **Date of Town Ownership:** 1983
- 7 **Type of acquisition:** Purchase
- 8 **Deed restrictions summary:** None
- 9 **Public Access location:** Access for the public is available from Fowler Rd.
- 10 **Street Map Grid reference:** D3
- 11 **Physical characteristics:** The lot is 8,006 sq. ft. (.18) acres and an open field. Its
- 12 location could benefit the possible construction of a sidewalk on Fowler Rd in the
- 13 future.
- 14 **Improvements:** None
- 15 **Open Space:** The primary use of the lot is as open space, especially as a refuge
- 16 from the road for pedestrians walking Fowler Rd.

- 1 **Name:** Gull Crest
- 2
- 3 **Location (Map/Lot):** The lot is on Spurwink Ave (R5-10).



- 4
- 5 **Date of Town Ownership:** 1998 (Gull Crest Farm), but also includes easterly
- 6 portion of old Poor Farm.
- 7 **Type of acquisition:** Purchase
- 8 **Deed restrictions summary:** None
- 9 **Public Access location:** Access for the public is available from Gull Crest Drive,
- 10 Cooper Drive and Spurwink Ave.
- 11 **Street Map Grid reference:** D2
- 12 **Physical characteristics:** The site 177.65 acres and includes all types of land
- 13 characteristics from wetlands to promontories.
- 14 **Improvements:** The site includes significant public facility investment, including
- 15 a sewer treatment plant, town recycling center and Public Works Garage. There
- 16 is an existing road network and parking areas to support these functions, plus an
- 17 athletic field. The back portion of the lot includes an extensive trail and
- 18 boardwalk system.
- 19 **Open Space:** The dominant use of the entire site is public works, including the
- 20 public works garage, the sewer treatment plant and the town recycling center
- 21 (located next to the old dump). The subordinate use is as open space, including
- 22 an extensive trail network, a nordic trail course, an athletic field and community
- 23 garden.

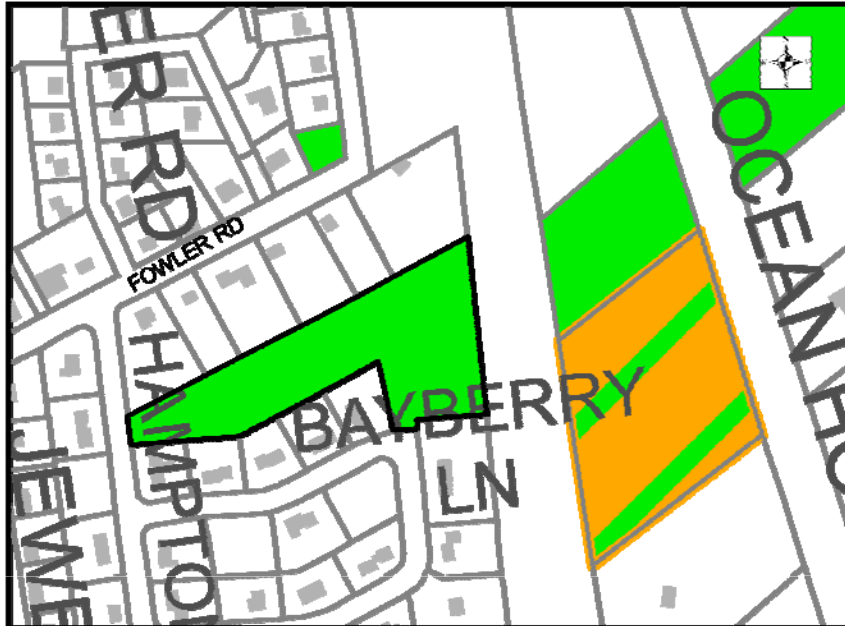


1 **Name:** Hannaford Lot

2

3 **Location (Map/Lot):** The lot is located at the rear of lots on Hampton and

4 Bayberry Lane (U19-6B).



5

6 **Date of Town Ownership:** 1968

7 **Type of acquisition:** Donation

8 **Deed restrictions summary:** None

9 **Public Access location:** Access for the public is available from Hampton Rd.

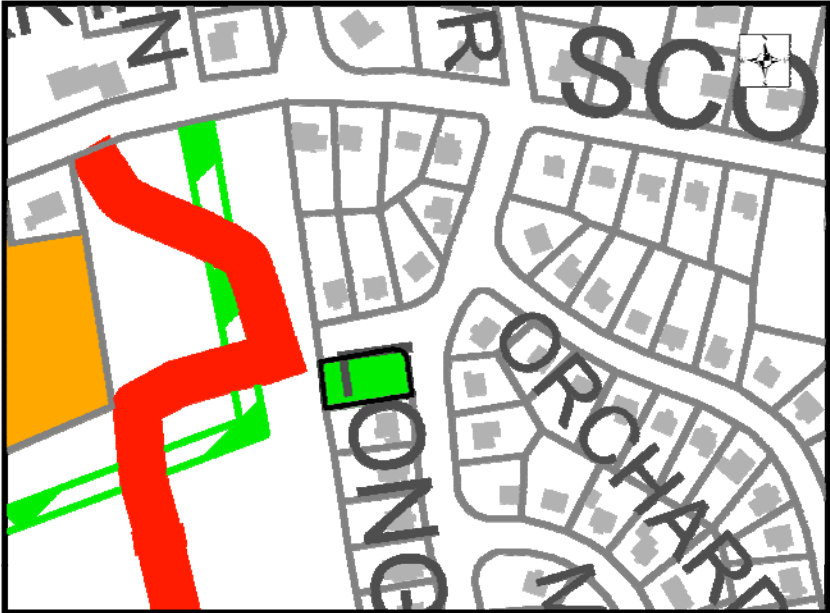
10 **Street Map Grid reference:** D3

11 **Physical characteristics:** The lot is 34,745 sq. ft.

12 **Improvements:** Unknown

13 **Open Space:** The dominant use of the land is open space.

- 1 **Name:** Longfellow Lot
- 2
- 3 **Location (Map/Lot):** This lot is located at the corner of Longfellow Drive (U21-
- 4 64).



- 5
- 6 **Date of Town Ownership:** 1946
- 7 **Type of acquisition:** Donation
- 8 **Deed restrictions summary:** Original purpose was for drainage infrastructure
- 9 **Public Access location:** Access for the public is available from Longfellow Drive.
- 10 **Street Map Grid reference:** C3
- 11 **Physical characteristics:** The site is 6,753 sq. ft. and an open area.
- 12 **Improvements:** May have abandoned 20,000 gallon tank onsite.
- 13 **Open Space:** Dominant

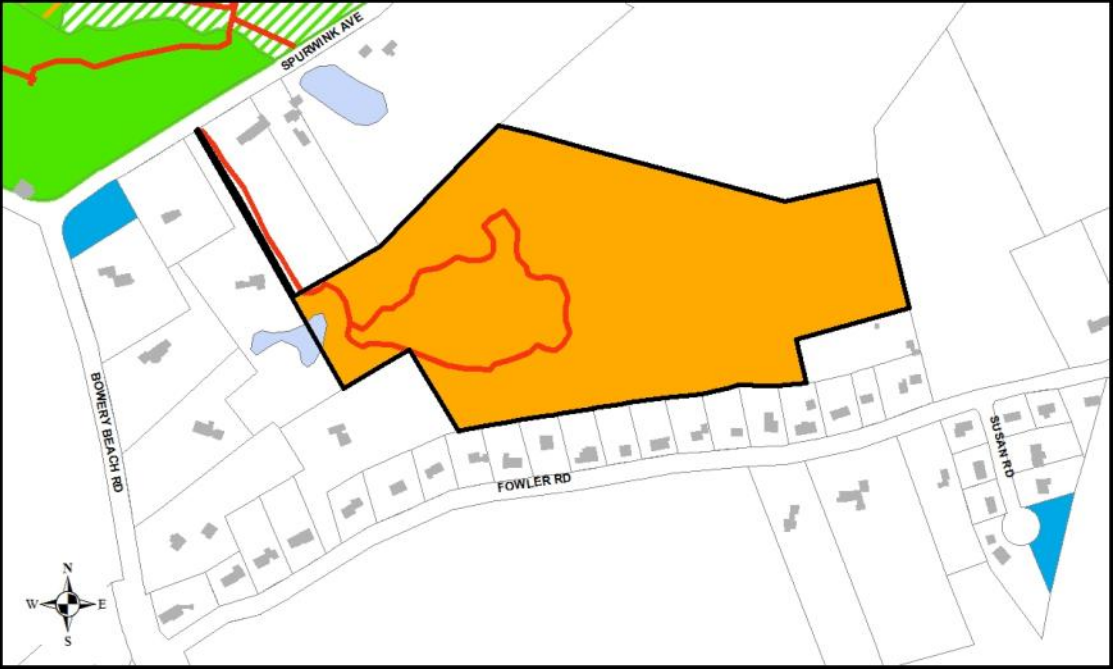
1 **Name:** Runaway Farm

2

3 **Fee owner:** Cape Elizabeth Land Trust

4

5 **Location (Map/Lot):** Runaway farm is located on Spurwink Ave across from the  
6 Spurwink Church and Riverside Cemetery (U43-8-5).



7

8 **Date of Ownership:** 1988

9 **Type of acquisition:** Donation through development review

10 **Deed restrictions summary:** None

11 **Public Access location:** Access for the public is available from Spurwink Ave.

12 **Street Map Grid reference:** D2

13 **Physical characteristics:** The site is 19.3 acres and a combination of woods, open  
14 fields and wetlands.

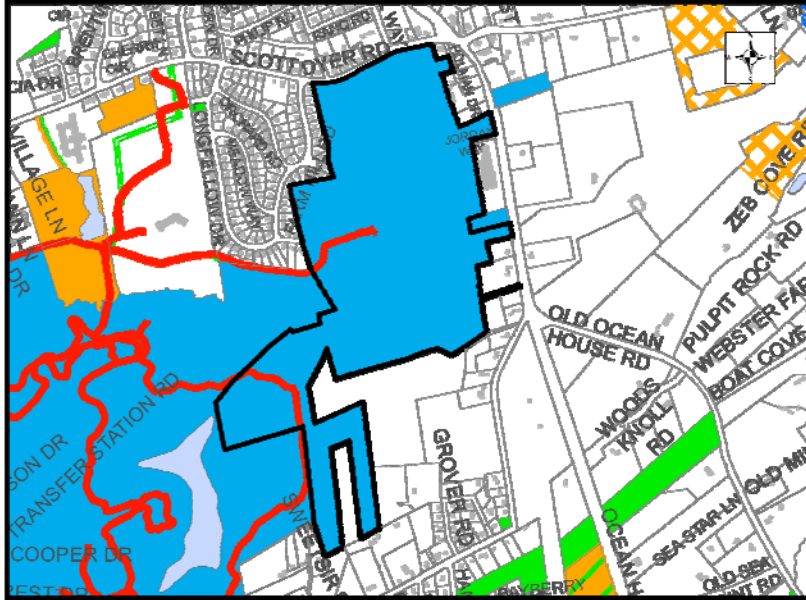
15 **Improvements:** There is a loop trail on the property.

16 **Open Space:** The dominant use of the land is for open space.

1 **Name:** School campus

2

3 **Location (Map/Lot):** The school campus extends from Scott Dyer Rd to Ocean  
4 House Rd (U21-12).



5

6 **Date of Town Ownership:** 1930, 1954, 1985

7 **Type of acquisition:** Purchase

8 **Deed restrictions summary:** None

9 **Public Access location:** Access for the public is available Ocean House Rd and  
10 Scott Dyer Rd.

11 **Street Map Grid reference:** C3, D3

12 **Physical characteristics:** The total school campus parcel is 64.8 acres and extends  
13 into the Spurwink Marsh. For the purpose of calculating the Open Space impact  
14 fee, 40 acres is considered open space. Much of this open space is wetland and  
15 connects to Gull Crest and the Spurwink Marsh.

16 **Improvements:** The entire school campus includes 3 school structures, the  
17 community pool, several parking lots, an internal road system, Hannaford Field,  
18 Holman Baseball field, Capano softball field, Rey Moulton baseball field, a  
19 multipurpose field, 3 Tennis Courts, 2 playgrounds, an outdoor track and the  
20 town center greenbelt trail.

21 **Open Space:** The dominant use of the site is for public education and open space  
22 is a subordinate use.

1 **Name:** Scott Dyer Rd Connector Easement

2

3 **Fee owner:** Health Care Property Investors, Inc.

4

5 **Location (Map/Lot):** The pedestrian easements are located on property at 78  
6 Scott Dyer Rd (R5-2). One easement extends along the sewer line at the rear of  
7 the property. Another easement extends from Scott Dyer Rd toward the sewer  
8 line and the Town Center Trail. The third easement connects to Longfellow  
9 Drive.

10



11

12 **Date of Town Ownership:** 1999

13

14 **Type of acquisition:** Acquired through development review

15

16 **Deed restrictions summary:** The easements shall be used for conservation and  
17 recreational purposes. No structures of any kind are allowed. The public is  
18 allowed to walk and ski on the trails. No motorized vehicles are allowed.

19

20 Domestic animals must be accompanied by the owner, and leashed or under  
21 voice control. Pet waste must be removed. Grantor may relocate easements.

22

23 **Public Access location:** Access for the public is available from Scott Dyer Rd,  
24 Longfellow Drive and the Town Center Trail.

25

26 **Street Map Grid reference:** C/D 2

27

28 **Physical characteristics:** Most of the easement area is encumbered with RP2  
29 wetlands in open fields. There are also some transitional woodlands and  
30 glimpses of the Spurwink Marsh.

31

32 **Improvements:** Some trail fragments exist that connect to the Town Center Trail.  
33 The Village Crossings facility has previously agreed to allow visitors to park in  
34 the existing parking lot.

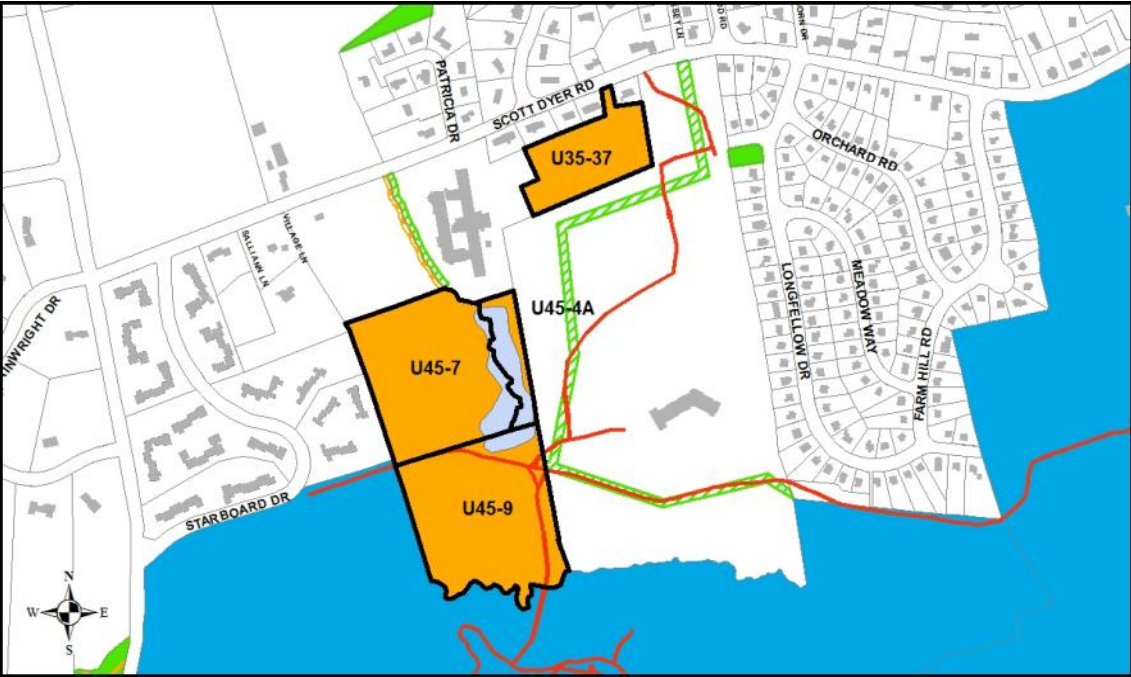
35

36 **Open Space:** The dominant use of the property is the Village Crossings Assisted  
37 Living facility with open space as a subordinate use.

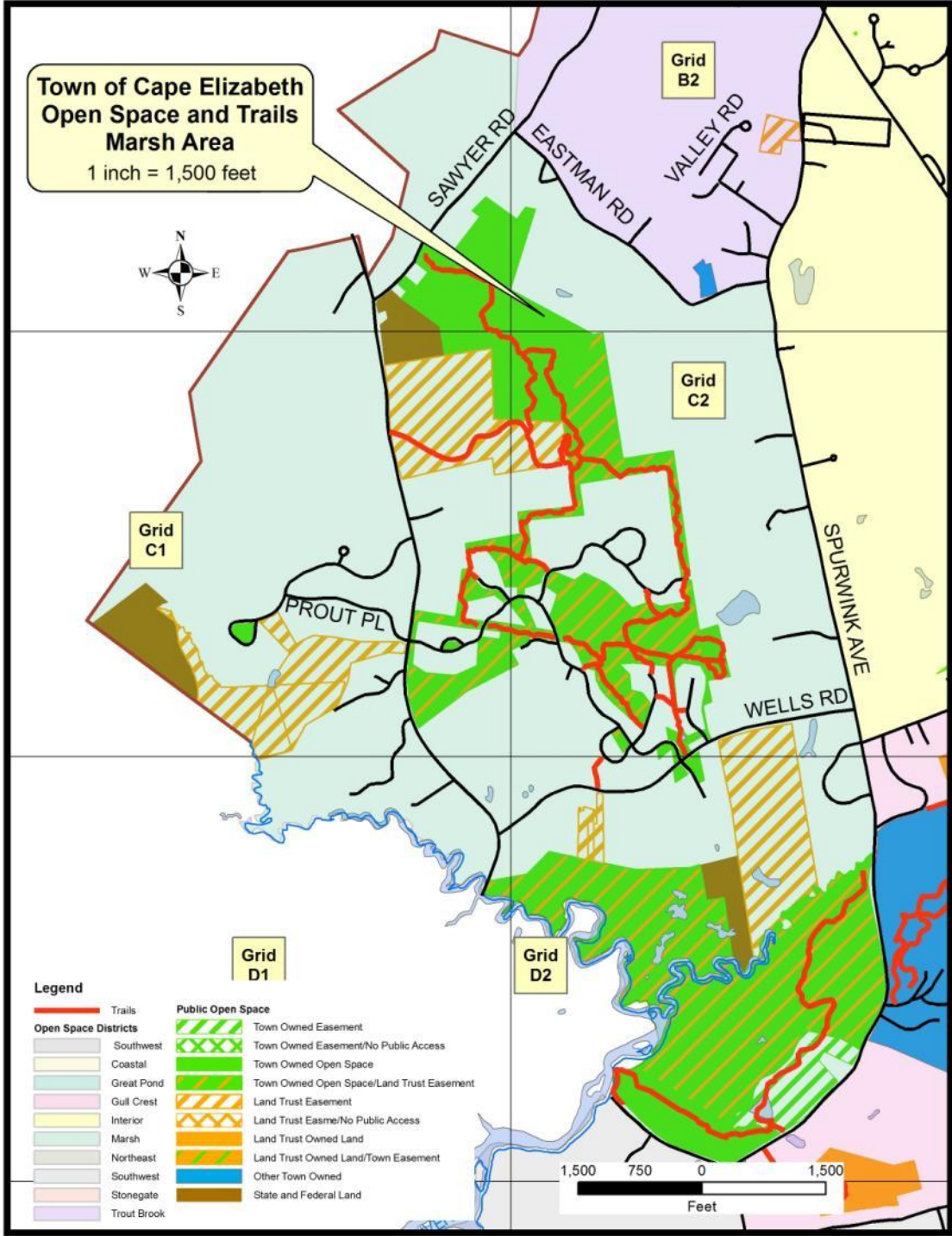
38

1 **Name:** Scott Dyer Rd-CELT  
2  
3 **Fee owner:** Cape Elizabeth Land Trust  
4

5 **Location (Map/Lot):** Four parcels are located on the southern side of Scott Dyer  
6 Rd(U35-37, U45-4A, U45-7, U45-9)  
7



8  
9  
10 **Date of Ownership:** 1990, 1990, 1993, 1987  
11 **Type of acquisition:** Donation as part of development review, except for the last  
12 parcel which was donation.  
13 **Deed restrictions summary:** "As a condition of this conveyance, ...the land  
14 herein conveyed shall never be developed and is to be used for the common  
15 benefit of the Inhabitants of the Town of Cape Elizabeth."  
16 **Public Access location:** Access for the public is available from Scott Dyer Rd and  
17 the Town Center Trail.  
18 **Street Map Grid reference:** C2/D2  
19 **Physical characteristics:** The sites are predominantly forested and wet meadow  
20 wetlands and a total of 13.23 acres.  
21 **Improvements:** None, except for the parcels adjacent to the Town Center Trail  
22 **Open Space:** The dominant use of the lot is as open space.



1

Prepared by the Planning Office 5/5/2011

1 **Name:** Autumn Tides Lot

2

3 **Location (Map/Lot):** The lot is located at the corner of Autumn Tides Rd and  
4 Wells Rd (R5-33).

5

6 **Map insert:**

7



8

9 **Date of Town Ownership:** 2005

10 **Type of acquisition:** Acquired through development review

11 **Deed restrictions summary:** Activities limited to passive use of the property  
12 such as walking, jogging, hiking, sightseeing, bird watching and harvesting or  
13 gathering forest products as well as general educational activities. Snowmobiles,  
14 ATVs, motorcycles are prohibited.

15 **Public Access location:** Access for the public is available from Wells Rd and  
16 Autumn Tides Rd.

17 **Street Map Grid reference:** D2

18 **Physical characteristics:** The lots total 1.46 acres in size and is open field with  
19 distant views of the Spurwink Marsh

20 **Improvements:** None

21 **Open Space:** The dominant use of the lot is open space.



1 **Name:** Cross Hill Trails

2

3 **Location (Map/Lot):** This park includes the lands around the Cross Hill  
4 neighborhood (U58-1-2, U58-34, 35, 36; U59-35, 36, 37; U60-21).

5



6

7

8 **Date of Town Ownership:** 2000, 2007 (U58-1-2)

9 **Type of acquisition:** Acquired through development review.

10 **Deed restrictions summary:** Snowmobiles not allowed except for maintenance.

11 No buildings, but boardwalks and bridges allowed for trails.

12 **Public Access location:** Access for the public is available from Cross Hill Rd,  
13 Apple Tree Lane, Hawthorne Rd, Steeplebush Rd and Tiger Lily Lane.

14 **Street Map Grid reference:** C2

15 **Physical characteristics:** The lots comprise 105.8 acres and is mostly wooded and  
16 includes forested wetlands and a pond. The area provides habitat for wildlife.

17 **Improvements:** The parcels include greenbelt trails, foot bridges and  
18 boardwalks.

19 **Open Space:** The dominant use of the land is as open space.

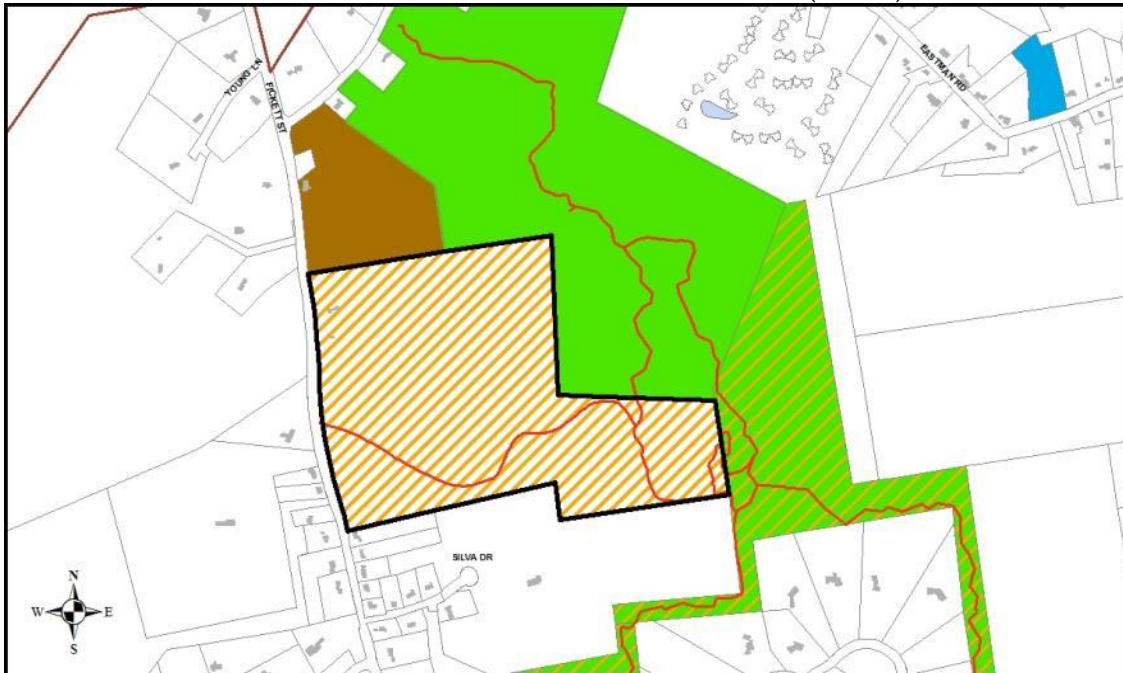
1 **Name:** Dyer-Hutchinson Easement - CELT

2

3 **Fee owner:** James C. Cox

4

5 **Location (Map/Lot):** The property is located on Sawyer Rd and abuts Winnick  
6 Woods, the Cross Hill Trails and the IF&W Federal land (R4-54)



7

8 **Date of Easement Ownership:** 1993

9 **Type of acquisition:** Donation

10 **Deed restrictions summary:**

11 **Public Access location:** Access for the public is available from Sawyer Rd, and  
12 also from the town owned trails at Winnick Woods and Cross Hill.

13 **Street Map Grid reference:** C1

14 **Physical characteristics:** The easement covers all but 2 acres of a 47.5 acre lot.  
15 The site is a combination of woods and a Christmas Tree farm, and also includes  
16 a stream.

17 **Improvements:** A trail for public use is located on the site, as well as a 2 space  
18 parking lot. The site also includes a Christmas Tree farm with accessory  
19 structures.

20 **Open Space:** The dominant use of the space is for agriculture with open space as  
21 a subordinate use.

1 **Name:** Harmon/Joy Easement - CELT

2

3 **Fee owner:** Ed MacColl

4

5 **Location (Map/Lot):** The property is located on the south side of Wells Rd and  
6 across the street from the connector to the Cross Hill Trail System.



7

8 **Date of CELT Ownership:** 1988

9 **Type of acquisition:** Donation

10 **Deed restrictions summary:** The public has the right to use the property for day  
11 hiking and cross country skiing. The property shall be used for passive, non-  
12 motorized, recreational and conservation purposes only.

13 **Public Access location:** Access for the public is available from Wells Rd.

14 **Street Map Grid reference:** D2

15 **Physical characteristics:** The easement is 1.3 acres in size and located on sloping  
16 terrain that includes salt water marsh.

17 **Improvements:** None

18 **Open Space:** The dominant use of the land is open space.

1 **Name:** Leighton Farm Trails

2

3 **Location (Map/Lot):** The Leighton Farm open space is located adjacent to  
4 Leighton Farm Rd and Wells Rd (R05-32).



5

6 **Date of Town Ownership:** 2003

7 **Type of acquisition:** The open space was acquired through development review.

8 **Deed restrictions summary:** The property is restricted to passive use such as  
9 walking, jogging, hiking sightseeing bird watching, harvesting of forest products  
10 and general education activities. No buildings are allowed, except for  
11 boardwalks, steps, and signs for the greenbelt. No snowmobiles, all-terrain  
12 vehicles, motorcycles, trail bikes or similar motorized vehicles are allowed.

13 **Public Access location:** Access for the public is available from Leighton Farm Rd  
14 and Wells Rd.

15 **Street Map Grid reference:** C2

16 **Physical characteristics:** The lot is 6.84 acres in size and wooded, except for the  
17 area surrounding the pond/detention area. At the high point, some glimpse of  
18 the ocean may be possible.

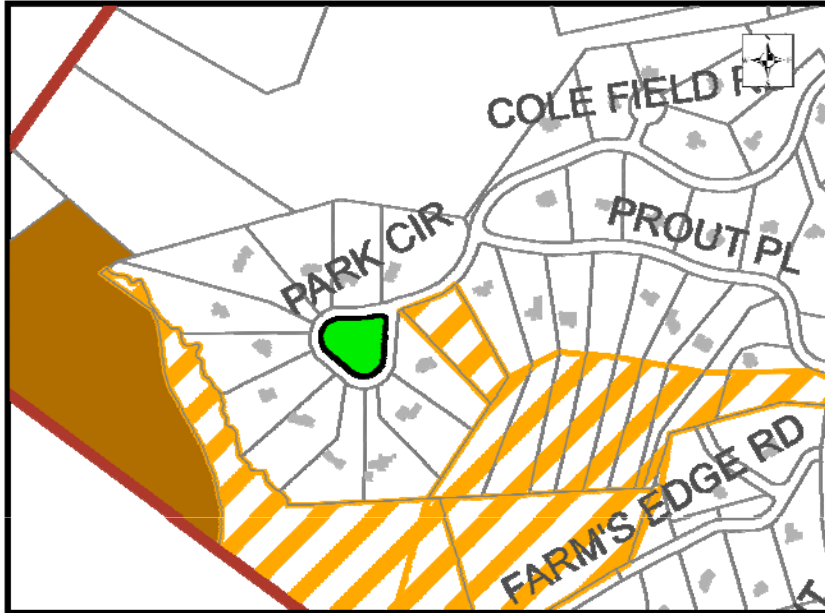
19 **Improvements:** The open space includes a trail that extends from Wells Rd to the  
20 power lines and connects to the Cross Hill trail network. The back loop of the  
21 trail provides a view of "Jordan Pond."

22 **Open Space:** The dominant use of the lot is as open space.

1 **Name:** Park Circle

2

3 **Location (Map/Lot):** Park Circle is an oversized cul-de-sac located in the center  
4 of Park Circle Rd in the Elizabeth Farms neighborhood (U54-9B).



5

6 **Date of Town Ownership:** 1989

7 **Type of acquisition:** Acquired through development review

8 **Deed restrictions summary:** None

9 **Public Access location:** Access for the public is available from Park Circle Rd.

10 **Street Map Grid reference:** C1

11 **Physical characteristics:** The site is 1.13 acres.

12 **Improvements:** Unknown

13 **Open Space:** The dominant function is Road/emergency access with the  
14 subordinate use as open space.

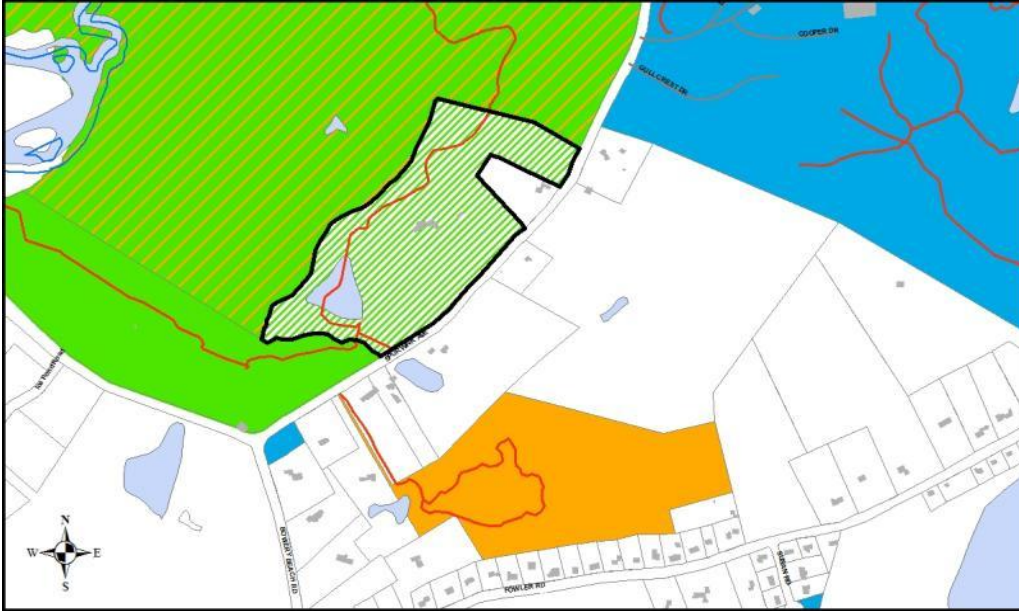
1 **Name:** Spurwink Marsh DOI easement

2

3 **Fee owner:** Dorie S. Barber

4

5 **Location (Map/Lot):** The easement is located at 505 Spurwink Ave (R5-13).



6

7 **Date of Town Ownership:** 1981

8 **Type of acquisition:** Donation

9 **Deed restrictions summary:** The property is the subject of conservation  
 10 easements conveyed from the Maine Coast Heritage Trust to the Town of Cape  
 11 Elizabeth. One easement covers the “northern two-thirds” of the property and  
 12 reserves a 1 1/2 acre area for development of a square or rectangular shaped  
 13 single family home and up to 3 accessory structures. The southern 1/3 is  
 14 conservation land. Both easements allow public access over trails and mention  
 15 the scenic value of the property due to its proximity to the Spurwink Marsh.

16 **Public Access location:** Access for the public is available from Spurwink Ave  
 17 and on a trail located on the Town Farm.

18 **Street Map Grid reference:** D2

19 **Physical characteristics:** Much of the easement (16.5 acres) is located at the foot  
 20 of the Spurwink Marsh, but also includes wooded areas, mainly adjacent to  
 21 Pollack Brook, where an old cemetery is also located. The easement offers views  
 22 of Spurwink Marsh and is frequented by deer.

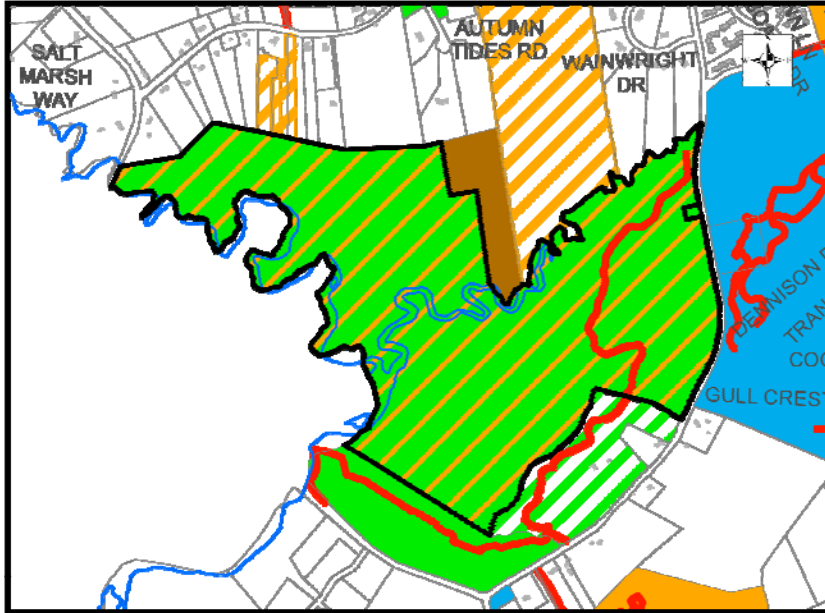
23 **Improvements:** The easement is adjacent to a single family home. The easements  
 24 include trails extending from the Town Farm, along the Spurwink Marsh and  
 25 Pollack Brook, to Spurwink Ave. A 51’ long bridge previously extended from one  
 26 side of the easement to Riverside Cemetery has fallen into Pollack Brook.

27 **Open Space:** The dominant use of the land is open space, however, there is also  
 28 an existing single family home that coexists with the easement.

1 **Name:** Town Farm

2

3 **Location (Map/Lot):** The Town Farm is located at the southern end of Spurwink  
4 Ave and is part of the Spurwink Marsh (R5-11).



5

6 **Date of Town Ownership:** 1800's

7 **Type of acquisition:** Purchase

8 **Deed restrictions summary:** The land was left to the Town of Cape Elizabeth by  
9 Thomas Jordan in his will dated 1825, upon the death of his wife, "for the poor of  
10 said town forever." In 1994, the Town of Cape Elizabeth "bought" the "Poor  
11 Farm" and put the sale proceeds into the "Thomas Jordan Fund," which is used  
12 to benefit the poor. (\$650,000) In 2000, the Town granted the Cape Elizabeth Land  
13 Trust a 50 year conservation easement over the Town Farm.

14 **Public Access location:** Access for the public is available from Spurwink Ave.

15 **Street Map Grid reference:** D2

16 **Physical characteristics:** The lot is 150 acres is predominantly open fields,  
17 marshland and a small amount of wooded/shrubby area. Expansive views of the  
18 Spurwink Marsh dominate the land, which is also rated high value for wildlife  
19 by the Maine Department of Inland Fisheries and Wildlife.

20 **Improvements:** The farm is encumbered by a lease granted to the Portland Water  
21 District (1985, term 40 years), to accommodate a sewer treatment facility and  
22 pump station. A trail rings the edge of the field and connects to trails located on  
23 the adjacent IF&W conserved land. There is also a small, 2 space parking area.

24 **Open Space:** The dominant use of the lot is as open space. The sewer treatment  
25 facilites used only a small portion of the site, however, it is the only sewer  
26 treatment plant located in Cape Elizabeth and would be prohibitively expensive

- 1 to relocate. There have been no user conflicts between the principal use of open
- 2 space and the public utility.



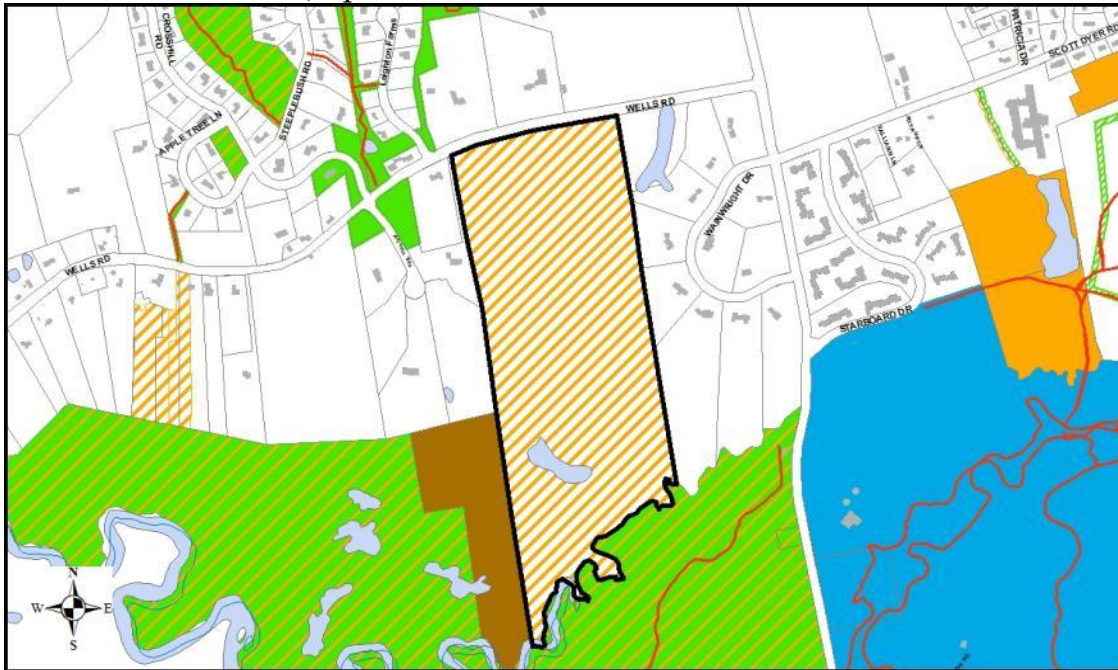
1 **Name:** William Jordan Easement - CELT

2

3 **Fee owner:** Penny, Carol Ann, and William Jordan and Pam Butterfield

4

5 **Location (Map/Lot):** The site is located on the south side of Wells Rd (R5-31) and  
6 abuts the Town Farm/Spurwink Marsh.



7

8 **Date of CELT Ownership:** 2004

9 **Type of acquisition:** Purchase

10 **Deed restrictions summary:** The property is protected for agricultural use and  
11 also provides public benefits of preserving the scenic views of the Spurwink  
12 Marsh.

13 **Public Access location:** Access for the public is available by the grantor so long  
14 as such uses are not inconsistent with agricultural uses.

15 **Street Map Grid reference:** C2/D2

16 **Physical characteristics:** The site is predominantly open agricultural fields.

17 **Improvements:** Improvements on the property are consistent with the accessory  
18 buildings related to agriculture.

19 **Open Space:** The dominant use of the space is agriculture and the subordinate  
20 use is for scenic views.

1 **Name:** Winnick Woods

2

3 **Location (Map/Lot):** Sawyer Rd (R4-49B)



4

5 **Date of Town Ownership:** 1995

6

6 **Type of acquisition:** Donation

7

7 **Deed restrictions summary:** The property is restricted to passive recreational activities only (e.g. walking, jogging, bird watching, nature observation) and active recreational uses (e.g. organized sports, play fields, bicycle tournaments, track events) are not allowed. No buildings or significant improvements are allowed except in connection with passive recreational activities.

10

11

11 **Public Access location:** Access for the public is available from Sawyer Rd.

12

12 **Street Map Grid reference:** B1

13

13 **Physical characteristics:** The Town conducted a boundary and wetland survey establishing the lot at 71 acres and including substantial wetlands. Most of the property is wooded, but it also includes a meadow and habitat for the New England Cottontail.

15

16

17

18

18 **Improvements:** Winnick Woods includes an extensive trail system installed by the Town that connects to Cross Hill, and Dyer Hutchinson farm, with planned connections to the Eastman Meadows open space. The trail head is located on the northern side of the property adjacent to Sawyer Rd and includes an information kiosk and 8 space gravel parking lot.

19

20

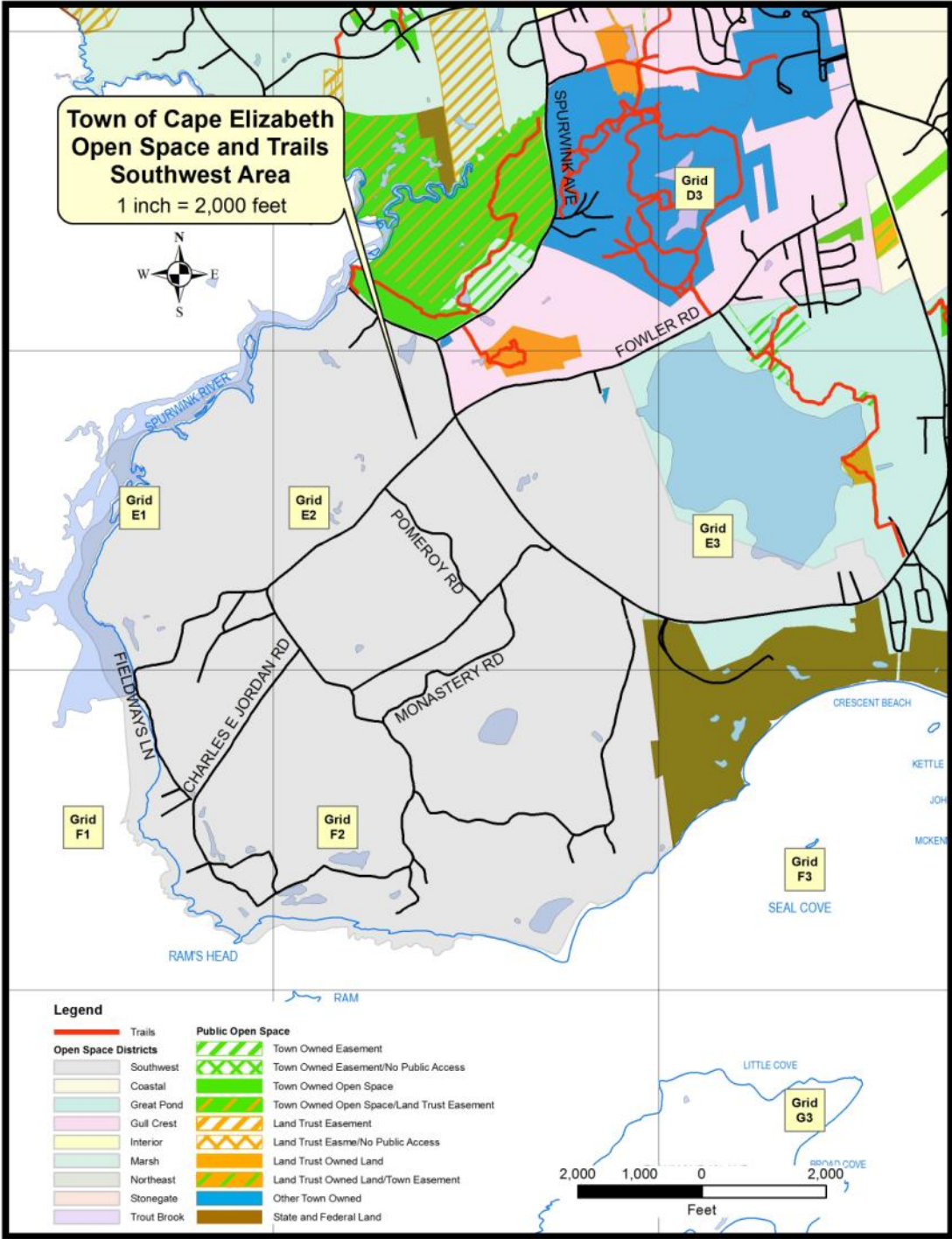
21

22

23

23 **Open Space:** The primary use of the lot is as open space for passive recreation.

24



1  
2

Prepared by the Planning Office 5/5/2011

1 Appendix 2  
2 **Transmittal to the Town Council**

3  
4  
5 TO: Cape Elizabeth Town Council  
6 FROM: Conservation Commission  
7 DATE: September 30, 2011  
8 SUBJECT: Open Space and Greenbelt Management Plan  
9

10 Introduction

11  
12 The Open Space and Greenbelt Management Committee is pleased to  
13 recommend the enclosed draft management plan for Town Council  
14 consideration.

15  
16 The Town Council authorized a charge for the committee on April 12, 2010. The  
17 committee, comprised of the Conservation Commission and Town Council  
18 Liaison Jessica Sullivan, met 19 times plus held 2 public forums, on June 16, 2010  
19 and May 26, 2011. (See attached minutes of public forums)  
20

21 Highlights of the Plan

22  
23 The plan focuses on existing open space and how it should be managed rather  
24 than future open space growth. Some of the highlights of the plan include:  
25

- 26 1. **Management Area concept.** Prior town open space inventories have been  
27 organized by type of ownership and map-lot. For management purposes,  
28 and to understand the potential value of a seemingly small and isolated  
29 lot, land is presented by geographic area. Maps showing each geographic  
30 area are included that suggest how individual lots are connected to a  
31 larger greenbelt trail network.  
32
- 33 2. **Management Groups.** The management plan has created 5 group  
34 descriptions and placed each lot in a group. The group organization  
35 facilitates consistent management of like parcels. For example, Group 1  
36 includes several parcels where the policy is basically to leave the land as it  
37 is with no facilities for public access.  
38
- 39 3. **Activities/Facilities Table.** The plan includes a table of open space  
40 managed by the Town with a list of activities that are allowed or not  
41 allowed and facilities available on each lot. This table has been  
42 coordinated with existing deed restrictions and should be a handy  
43 reference for residents.

- 1  
2 4. **Management Policies.** The plan commits to writing, many for the first  
3 time, management policies for town open space. These policies are a  
4 combination of custom and practice, state law, and anticipated demands  
5 for the future. (See attached email re: hunting)  
6
- 7 5. **Encroachments.** The Town Council's decision to commission the  
8 management plan was motivated, in part, by the need to address  
9 encroachments on town property in a proactive way. The management  
10 plan includes specific policies for encroachments, a process to identify and  
11 respond to encroachments and a recommendation that the Town Council  
12 consider annual funding of approximately \$2,500 to begin an open space  
13 boundary survey program.  
14
- 15 6. **Updated inventory.** The plan includes a one page description with map of  
16 each open space parcel owned by the Town, each parcel for which the  
17 town holds an easement, and selected Land Trust properties immediately  
18 adjacent to town holdings.  
19
- 20 7. **Names.** Each town holding has been assigned a name. In some cases,  
21 names refer to the original donors or owners of the land. Assigning a  
22 name to each lot should ease reference to lots in the future. As with the  
23 entire plan, all names are subject to Town Council approval.  
24

25 The committee would like to draw specific attention to the following  
26 names, which are originating with this plan:  
27

- 28 a. Abaco Lot  
29 b. Alewife Brook Lot  
30 c. Alewife Cove Lot  
31 d. Autumn Tides Lot  
32 e. Baker Lot  
33 f. Broad Cove Lot  
34 g. Canterbury Tank House Lot  
35 h. Davis Woods  
36 i. Dyer Woods  
37 j. Eastfield Lot  
38 k. Ferne Peddy Lots  
39 l. Ivie Rd Lot  
40 m. Hannaford Lot  
41 n. Longfellow Lot  
42 o. Loveitt Woods  
43 p. McAuley Lot

- 1 q. McKenney Point Lot
- 2 r. Park Circle
- 3 s. Patricia Lot
- 4 t. Stonybrook Lot

5  
6

7 Related Recommendations

8

9 In the preparation of the Open Space Management Plan, the committee identified  
10 several related issues that are outside the scope of the plan but are recommended  
11 to facilitate open space management. These actions are needed to implement the  
12 plan as proposed.

13

14 *Model Conservation Easements*

15

16 Included in this plan are model conservation easements. In the past, conservation  
17 easements are often drafted by a developer and then reviewed by the Town  
18 attorney. Upon request, developers are provided with a copy of a recent  
19 easement accepted by the Town and use it as a template. Many of the current  
20 easements held by the Town have the same wording for this reason. In the  
21 committee’s review of existing easements, however, the quality of the easements  
22 vary widely in terms of specificity and consistency of terms.

23

24 Attached are two forms of easement drafted by the Town attorney. The first is a  
25 standard conservation easement and the second is a pedestrian easement. While  
26 having a model easement format will not prevent the Town and any willing  
27 party from making revisions to the terms of the easement prior to acceptance, a  
28 model easement creates a common starting point. It should make it easier to  
29 initiate an easement donation from a willing resident, reduce costs of review and  
30 produce an overall more consistent legal document.

31

32 The Town should also comply with state law requiring monitoring the terms of  
33 conservation easements every three years.

34

35 *Related Ordinance Amendments*

36

37 The Maintenance Policies section (Section V) includes a review of existing Town  
38 ordinances. Some of the policies recommended will require adjustments to  
39 current Town ordinances, further described below:

40

41 **Hunting and Trapping**

42

1 Most regulation of hunting is pre-empted by state law. Within state law,  
2 however, it appears that the Town may assert authority over the location  
3 of tree stands and traps. The Maintenance Policies Section (V)  
4 recommends that, prior to installing a tree stand on Town land,  
5 permission be obtained from the Town and that permission will not be  
6 granted for a location within 100 yards from any dwelling or within 10  
7 yards of any Town-marked greenbelt trail. This plan also recommends  
8 that no traps be placed on Town land without permission. The Town may  
9 want to adopt ordinance provisions that formally implement these  
10 management policies.

11  
12 **Dogs**

13  
14 The Maintenance Policies Section (V) recommends that dogs be allowed  
15 off-leash in open space areas.

16  
17 **Dogs Ordinance, Sec. 7-1-7 Dogs to be Restrained on Municipal**  
18 **Property.** Any dog within the boundaries of a groomed and/or regularly  
19 maintained municipal property including, but not limited to, Fort  
20 Williams Park, public roads, municipal sidewalks and athletic fields, will  
21 be walked on a leash or tether at all times. The person accompanying the  
22 dog in these situations is required to collect any feces dropped by the  
23 animal and dispose of same in an area where it will not likely be  
24 encountered by any persons. The Cape Elizabeth Poor Farm, Lions' Field  
25 excluding the Little League field, and a 20+- acre portion of Fort Williams  
26 Park Southerly of Humphreys Road (the road fronting the Parks  
27 Maintenance Building) and extending along a line to the rear of the long  
28 garages at the rear of Officers Row buildings, (but excluding the fields  
29 immediately south of Portland Head Light and in front of Battery Blair)  
30 are not considered to be groomed and/or regularly maintained for  
31 purposes of this ordinance.

32  
33 The Dog Ordinance should be updated to align “groomed areas” with  
34 current practices. This may include redefining “groomed areas” and  
35 allowing some pet waste to remain in natural areas away from the trail,  
36 per the Maintenance Policies section.

37  
38 *Encroachment Survey Funding*

39  
40 In response to concerns raised by the Town Council regarding a proactive  
41 approach to encroachments, this plan recommends that a professional survey of  
42 Town open space boundaries be undertaken and phased over a ten year period.

1 This program will require an annual appropriation, perhaps in the range of  
2 \$2,500 per year.

3  
4 *Coordination with the Land Trust*

5  
6 The Cape Elizabeth Land Trust owns several properties that abut Town open  
7 space and several trails seamlessly connect Town and land trust lands.  
8 Management of Town open space will be most effective if coordination with the  
9 Land Trust on adjacent properties continues.

10  
11 *Volunteer Development*

12  
13 The Conservation Commission has partnered with Town residents, student and  
14 trail users to make trail improvements. A few residents have informally  
15 “adopted” a trail and perform vegetation management and minor repairs. Efforts  
16 to expand volunteer efforts, particularly an “adopt-a-trail” program, should be  
17 pursued.

18  
19 Conclusion

20  
21 The Open Space and Greenbelt Management Committee made every effort to  
22 recommend management policies that adequately protect town open space for  
23 the benefit of all residents and reflect community values. The committee strongly  
24 encourages the Town Council to review the management plan and to make  
25 revisions as needed. The committee looks forward to assisting the Town Council  
26 with that review.