

Shore Road Pathway Committee
Committee Meeting of 8-20-2008

Minutes of Meeting

Present At Meeting:

Paul Thelin, Committee Chair, Maureen O'Meara, Town Planner for Cape Elizabeth, Mary Ann Lynch, Town council representative, George Morse, Andie Mahoney, Dena Desena, Bill Nickerson, Josef Chalot, Steve Harding of Oest Associates, John Mitchell of John Mitchell Landscape Architect.

Absent: Howard Littlefield

The meeting was called to order at 7:10 pm and opened to public comment and questions.

James F. McDonough, 1107 Shore Road:

How long can I expect it to take to receive a response from a letter?

P.T.: We will try to give you a response, we didn't meet in July.

James F. McDonough, 1107 Shore Road:

Why wasn't the road right-of-way staked?

P.T.: We have not made definite decisions about the design of the path and we felt that staking out the R.O.W. could be potentially misleading about what would and would not be there.

Have you decided which side of the road the path will be on?

Not yet.

Maureen stated that she will make sure that the land/water side comparison matrix is posted on the web-site. She described some of the reasons that the land-side is more favorable. She mentioned that our design consultants will also weigh in once they have studied the potential path alignment. She also stated that we intend to have the R.O.W. depicted when we meet with the abutters. The new R.O.W. survey will be posted on the town website, and portions will be provided to the abutters.

Tom Kinley:

Have abutters from both sides received the same letters?

Maureen stated that all households on Shore road and secondary streets off Shore Road within the impact of the path received an initial letter. Subsequently the Land side and Ocean Side received different letters.

James F. McDonough, 1107 Shore Road: (or other guy)
How come you picked the only consultant that stated that they favored the land side location?

We did not pick a consultant based on their opinion of where to locate the path. Maureen and Paul reiterated that a design has not been done at this point, and that we are expecting our consultants to weigh in once the data from the abutters meeting have taken place.

Public noted that Cynthia Dill resigned from the committee and that she was the only person on the committee to be disadvantaged by the path on the land side. Mary Ann Lynch stated that as a member of the Town Council, she is a member of all committees, and her property is in fact on Shore road and that any land side path would cross her property

Maureen stated that consultants have collected R.O.W. data for both sides.

Bill Nickerson stated that the matrix that Maureen developed list 10-12 factors that make the landside more feasible and that the public is welcome to examine them objectively and weigh in on them

PT closed the public comment session till the end of the meeting.
Minutes were reviewed and accepted.

PT Discussion of letter from A. Van Lonkhuysen and whether or not to respond.

MO We should acknowledge receipt of letter and we will bring letter to the abutters meeting and discuss objections. Anyone on the committee who wants to respond individually to the letters can do so.

GM It is important to read each letter carefully. Some items are more substantive. Other questions like how much tree cover will be lost are harder to answer at this stage. It's important to give a thought out answer if we do give an answer.

BN It seems there is not a lot of clarity about our mission. There may be a feeling that this is a done deal. It's not perceived that we are simply making a recommendation to the Town Council. There is some alarm that this is a clandestine operation. The public is getting misinformation.

PT Maureen can acknowledge receipt of letters and letters can be responded to at abutter meetings.

PT discussed need for formulating an approach to abutter meetings, including a time frame, talking points, and visual (graphic) aids.

MAL Don't need to meet with me.

MO I'll be there to record the meeting and note preferences that the abutter has for path location, and landscape features such as trees, plantings, walls, etc.

MO stated that she wanted to articulate the design ideas about the path developed to date with a draft "Principals of Path Design" memo for the committee to review. Committee confirms w/ JM to have 3 copies of ROW drawings at each meeting. We should also document with photos.

Discussion of timing of abutter meetings. Committee members to provide blocks of time they can meet. Discussed need to be available after 6:00 pm weekdays or Saturday.

PT discussed draft schedule.

Dena stated we should end by December

PT Asked JM: assume abutter interviews are complete by 9/30, how long to concept? JM replied he can get a plan for public presentation in 1 month. PT asked JM about which properties should be given priority. JM replied that the Land Trust and the Robinsons would be the highest priority.

Discussion of individual committee member meeting schedules

PT asked JM to clarify what information would be helpful to obtain from the abutters.

JM stated that he had walked entire trail with MO and noted when specific questions should be asked.

GM asked MO about process from this point. MO replied that the committee would review the comments of the Public Forum and then modify the plans according to comments received at the public forum.

Discussion of November meeting

GM posed the question of when do we lock into a side?

PT stated that we need to wait to hear from abutters, and see a concept plan

GM stated we should consciously decide so that we don't go down so far that we can't back out.

Dena stated that once we talk to abutters, things should be more clear

PT stated that hearing from our experts should be helpful in deciding which side to be on.

Discussion of meeting dates, MO will check school calendar.

Discussion Memo from MO regarding Abutter meetings

MO read through memo detailing a protocol for the abutter meetings. The following additional points were raised:

- PDFs of the ROW are available on the town website. A hard copy is available in Town Hall.
- We need to make sure we have the 5' stick, camera, notepad, Committee Charge document, Principles of Path Design Memo, a tape measure and a scale ruler.
- PT felt that we should mainly be listening, but also be able to apprise abutters of where the right of way is.
- Discussion of erring on the side of listening. We don't want to leave the abutter with an impression that the committee has a final concept of what is to be done. Some sections we don't know what to do yet.
- The abutter meetings should not be a forum for "solving" problems.

Consultants SH and JM reported on progress of Survey

ROW survey plans are 98% complete. SH requested that any inaccuracies be reported to him. Discussion of comparison between old 1969 survey and new survey didn't find a lot of differences, more updates. SH stated that a lot of the physical evidence (monuments, pins, etc.) were located. Discussion of locating wetlands. PT asked if the survey raised any red flags and SH responded no. JM stated that the centerline of Shore Road meanders within the ROW. SH discussed sheet numbering.

The committee discussed the Principles of Path Design Memo submitted by Maureen. Discussion of minimizing road crossings. The memo was adopted by consensus with the provision to add the Land vs. Shore Side Comparison Chart.

MO will provide summary sheet of abutter meeting and send to abutter for review.

BN discussed a path that was just built in Carlyle, MA vs. an older path in Centerville where the paving has faded and the trees have grown in. He said that after a few years the path looks like it has always been there and it fits right in with the character of the road its on.

PT questioned about what should be said about surface options if the abutter asks. SH and MO discussed stone-dust, recycled tires, asphalt, and concrete. Stable surfaces may work better in some places. Surface could change at different locations. Can ask abutters if they have any thoughts on the matter. PT brought up the question of plowing if it is a year round path. Discussion of 5' wide width.

8:45pm PT opened the meeting to public discussion.

JFD stated that ROW should be flagged so public can see the where their property ends

PT stated that flagging has not been rejected at this point. MO suggested that flagging the centerline of the path would be more useful. The committee agreed.

JFD stated that 4 weeks is an unreasonably short time to produce a concept plan for the path.

JM stated that he thought it was enough time for him to produce a concept plan.

J Kinley: raised issues of path on key bank side, the definition of a path, whether the proposed path is wide enough for cyclists, what authorizes the ROW and what uses are approved within the right of way.

MO: we might need to have the town lawyer research that.

MAL: There is no need to waste taxpayer money on legal research. A pedestrian path is certainly an allowable use of the ROW.

A motion to adjourn was seconded and the meeting ended.