

## Shore Road Path Committee Meeting

February 4, 2009

Place: Town Hall, Cape Elizabeth, ME

Present: Committee members Paul Thelin, David Backer, Dena DeSena, George Morse, Andie Mahoney, Howard Littlefield, Josef Chalot, Suzanne McGinn and William Nickerson; Maureen O'Meara, Town Planner; Steve Harding and Paul Burbage of Oest Associates; Betsy Melrose of Mitchell & Associates.

The meeting was called to order at 7:04 PM and opened to public comment and questions. There were none.

Paul Thelin then asked for a motion to accept the minutes from the December 3, 2008 meeting. Minutes were approved.

Correspondence: Maureen O'Meara stated that as of January 1, 2009, the Town was implementing a new policy regarding written comments made to the Town; namely, that all such comments are to be posted on the town's website; and can be made through the website at [www.capeelizabeth.com/contact\\_officials.html](http://www.capeelizabeth.com/contact_officials.html). Paul Thelin then asked whether Committee members would still like to have public comments emailed to them, or whether Committee members would proactively monitor comments through the Town's website. Committee members responded that they would monitor public comments through the Town's website.

FAQ's: Howard Littlefield then moved to accept the FAQ's that had been prepared. David Backer seconded the motion; motion carried unanimously.

Concept Plan: The Committee then studied the portions of the plan where changes had been made. Most of the changes were to widen the path to five feet, or move the path to create more of a buffer from Shore Road, or to relocate a crosswalk.

Betsy Melrose from Mitchell & Associates then addressed several areas where the concept plan had been proposed to be amended, as follows:

- Moving back the fence that stands behind the retaining wall near the old entrance of Fort Williams by sixteen feet. This change is reflected in the amended concept plan. Within the sixteen foot space would be a five-foot path. This would allow people to walk safely outside the Fort, and it would be more maintenance-friendly. The change also included a new gate towards the top of the hill.
- The revised concept plan showed what a future connection could look like around the ledge area connecting the old entrance of Fort Williams to the new entrance of Fort Williams.
- The health of a 36" oak tree south of Dyer Pond Road was compromised, and that removing the tree would allow the path to achieve greater separation from Shore Road.

- Suzanne McGinn asked Ms. Melrose whether the portions of the path that directly abut Shore Road (ie., with no buffer) are now five-feet wide; Ms. Melrose responded that they are.
- At the Delano #4 entrance (Herb Connell’s property), there is only a 1-2 foot buffer. Maureen O’Meara noted that there is no additional guardrail in this area.
- In the area where Robinson Woods begins, there are very few changes from the original concept plan. There is an option to blast a roughly 30-foot section of ledge in order to increase separation from Shore Road. Steve Harding from Oest commented that a “heavy chipper” would be used in this area, and that blasting is too inaccurate of a process. The chipper makes it look more natural and at the request of the C.E. Dept. of Public Works, blasting is typically not done in other parts of town. The consensus of the Committee was not to chip or blast the ledge.
- At the section of the concept plan abutting CELT property, a three-foot buffer from Shore Road has been created. Howard Littlefield inquired what the CELT’s position was going to be with respect to the plan. Ms. O’Meara responded that Chris Franklin of CELT informed her that CELT would have its recommendation finalized before the Committee’s final report is completed.
- At Smuggler’s Cove section of the concept plan, eleven trees have been proposed for removal, resulting in a five-foot path with a three-foot buffer from Shore Road. The area proposed to be altered starts at the Robinson barn.
- Across from Becky’s Cove, where there is ledge and the path abuts Shore Road, there will be curbing installed, which would be 4-6” above the road to help control drainage and ensure safety.
- The crosswalk would be relocated to just south of Julie Anne Lane, increasing the site-line to 530’, from 300’ at its previous location.
- At the Hunneman property, the revised plan would relocate the property owner’s split-rail fence by two feet, from the town’s right-of-way to one-foot beyond the Hunneman’s property-line. Mr. Harding noted that the fence would have to be taken-down during construction. Mr. Nickerson commented that the property owner should decide where on his property his fence should be relocated. Also along the Hunneman property, there would be a new 4-6” elevation of the path, with bituminous Cape Cod curbing to protect trees and create a safe separation from Shore Road.
- There was a discussion regarding the possible intrusion of three utility poles into this section of the path. Ms. Melrose noted that the poles would be located on the edge of the path in this section, and would only minimally intrude into the path. Mr. Harding commented that it typically is difficult to relocate just a small number of utility poles, and that poles are usually relocated in larger numbers. Bill Nickerson commented that he did not believe that the location

of the poles at the edge of the path would be problematic, since the path would be five-feet wide in this section. Dena DeSena commented that she walks to Scratch Bakery in South Portland, and that utility poles are located within the sidewalk in some places. Suzanne McGinn expressed her concern that the presence of the utility poles at the path's edge may diminish the path's eligibility for grant funding. Ms. O'Meara responded that funding opportunities should not be diminished here, since this is such a small section of the path. Mr. Harding noted that 99.5% of the path under the revised plan would be five-feet in width.

- At the Rand property, there would be removal and planting of new lilac shrubs.

At the conclusion of Ms. Melrose's presentation regarding the proposed amendments to the concept plan, Mr. Thelin sought comments from Committee members.

- Howard Littlefield expressed his support for the proposed changes.
- Mr. Nickerson commented that generally speaking he does not favor cutting down additional trees, but that safety is most important. Although the amended plan would cut down 11 trees near Smuggler's Cove Road, there would remain many trees.
- George Morse commented that there are 387 total trees along the path presently; and that the amended plan would only take down 26 of them, or less than 10%. In addition, there are many more trees along Shore Road that are outside the scope of the survey performed for this Committee.
- Ms. McGinn expressed her pleasure with the increased safety that the amended plan offers.
- Mr. Chalot was pleased that the amended plan would keep the path outside of Fort Williams.
- Ms. DeSena was pleased with the revisions, particularly the increased site lines at the crosswalk, and a five-foot wide path for virtually the entire length of the path.
- David Backer stated that Mitchell & Associates has given the Committee exactly what it had requested.
- Mr. Thelin stated that he struggled with the safety issues in the original plan, but now believes that the amended plan better addresses the safety issues and is a necessary compromise.
- Andie Mahoney likewise commented that she supported the amended plan's increased focus on safety.

Mr. Littlefield made a motion to accept the proposed revisions; Ms. DeSena seconded the motion; the motion passed unanimously.

Ms. O'Meara noted that the cost of constructing the path as amended would be provided to the Committee before the February 25, 2009 meeting. The Committee's goal is to prepare and approve the draft report to the Town Council by March 25, 2009.

Draft Outline: The Committee then discussed the "Draft Outline Shore Road Path Final Report" document that had been prepared by Ms. O'Meara and distributed to Committee members in advance of the meeting. Comments from Committee members included the following:

Mr. Nickerson wants to add an item to the "study methodology" regarding the work of the "Road Safety Committee".

Ms. McGinn asked whether reference to the previous road-study report for Shore Road should be added to the "study methodology".

Ms. O'Meara asked whether the "concept plan" section should be moved to the beginning of the draft. Mr. Chalot made a similar inquiry. Mr. Morse commented that he'd like to see the concept plan appear first in the draft. Mr. Backer stated that the concept plan should be at the beginning or the end of the report so that it will be easy to find.

Mr. Backer believes that the folding papers of the concept plan should be located at the back of the draft because it makes more progressional sense.

Ms. O'Meara indicated that she would email the Committee the draft outline at least three days before the next Committee meeting. Mr. Thelin encouraged Committee members to review it as soon as possible and to email Maureen any comments before the next Committee meeting.

Mr. Harding added that an executive summary may be a useful addition to the report.

Mr. Thelin asked the Committee to consider whether the summary (Item #1) honors the charge to the Committee.

Mr. Nickerson commented that "the meat" of the Committee's work should appear first, and that the support for the Committee's findings and conclusions should follow.

Following this discussion, the Committee recommended that the draft outline be reconfigured as follows: (1) Summary; (2) Introduction; (3) Principles of Path Design; (4) Concept Plan; (5) Cost Estimates; (6) Study Methodology; and (7) Shore Road Pathway Committee.

The Committee then decided that public participation via email will not be included in the final report, but that all correspondence received by the Committee will be available as a public document.

Ms. McGinn commented that that she would like to see verbiage inserted into the report regarding the future path connection to the north side of Cape Elizabeth.

Andie Mahoney asked whether verbiage could also be inserted regarding the viability of constructing the path in phases.

Mr. Backer indicated that the Council will most likely receive the report and thank the Committee. As funds become available, the Council may revisit the Committee's recommendations, and that the Committee would be wise to think about the path in phases.

Ms. McGinn asked whether the report would have a "shelf life." Mr. Backer responded that it's a long work in process, but that the fruits of the Committee's labor would probably be seen in some fashion.

The Committee then asked about third party sourcing. Ms. O'Meara indicated that the Town Council would have to approve private fundraising, but that the existence of a report is one step closer to receiving grant funding.

Agenda for Next Meeting: (1) Cost Estimate; (2) Draft Report review.

Public Comment: None.

Adjourn: Mr. Nickerson made a motion to adjourn; Mr. Littlefield seconded the motion; motion passed unanimously. Meeting adjourned at 8:55 PM.