

STATE OF MAINE  
DEPARTMENT OF AGRICULTURE, CONSERVATION AND FORESTRY  
BUREAU OF PARKS AND PUBLIC LANDS  
RECREATIONAL TRAILS PROGRAM  
PROJECT AGREEMENT

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Political Subdivision: Town of Windham

Vendor Code: VC1000097142

Project Title: Lippman Park Trail Project

Project Period: 05/15/2014 through 12/31/2015

Project Number: 1410

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**Project Scope:** This will include improvements to the existing trail at Lippman Park located off from Route 302. These trails will be open to multi-use. There will be a new ADA trail to the water's edge and will also include some raised boardwalks through a marsh along the trails.

**Project Costs:** Total \$ 43,811.00 Federal: \$35,000.00 Local: \$8,811.00

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THIS AGREEMENT, made this 15th day of May, 2014 is by and between the STATE OF MAINE, by and through the Bureau of Parks and Public Lands, hereinafter called the State, and the Town of Windham, located at 8 School Street, Windham, ME 04062 telephone number (207) 892-1907, hereinafter called the Recipient.

**WITNESS:**

**WHEREAS**, the United States of America, represented by the United States Department of Transportation, Federal Highway Administration, and the State of Maine have entered into an agreement (which, all regulations and provisions incorporated therein, is hereinafter referred to as the Project Agreement) pursuant to the National Recreational Trails Fund Act of 1991, S. 1302 providing for the implementation of the above described project (hereinafter referred to as the Project), for the benefit of the Recipient, and,

**WHEREAS**, the Project Agreement between the United States of America and the State imposes responsibilities upon the State which the State has assured the United States of America will apply to the Recipient and which the Recipient agrees to perform;

**NOW, THEREFORE**, for valuable considerations, the State and the Recipient agree as follows:

1. The Recipient hereby agrees to discharge, perform, and fully satisfy all provisions of the Project Agreement directly or indirectly applicable to the Recipient, and the Recipient further agrees that it shall not, through any act or omission, violate any provision of the Project Agreement.

2. In connection with all phases of the Project, including all work to be performed in the development thereof, the Recipient agrees as follows:

A. The Recipient, if acquiring interest in real property, shall comply with the provisions of the Uniform Relocation and Real Property Acquisition Policies act of 1970 (P.L. 91)646 84 Stat. 1894) including amendments thereto and regulations thereunder, as provided in 1 M.R.S.A 901 et seq.

B. The Recipient agrees to execute and complete the Project in strict accordance with the above referenced Project Scope and the other terms and conditions hereof. Subsequent to this Agreement, any change in the use or any substantial change in the design or arrangement of the Project must have the prior written approval of the State.

C. The Recipient shall not advertise any work on the Project for bidding, enter into any contract for work to be performed, or undertake any work on the Project unless and until the Recipient shall have submitted reasonably detailed plans and specifications for the Project to the State for approval and shall have received written approval of the State.

D. All contracts for work on the Project exceeding \$5,000.00 shall be awarded through competitive negotiation. Contracts exceeding \$25,000.00 shall be awarded through competitive public bidding and shall be subject to prior approval of the state.

E. The Recipient shall establish a separate account for all funds received and expended in connection with the Project and shall preserve (and permit inspection of) such financial records until an audit is made by the United States Government, but in no case for less than three (3) years following the completion of the Project.

F. The eligibility for reimbursement by the State of any cost incurred or proposed to be incurred in connection with the Project shall be determined by the State Project Manager in accordance with the criteria set forth by the U.S. Department of Transportation and any replacements or amendments thereto.

G. The Recipient agrees to repay any funds received for costs determined to be non-allowable by a post audit of the Project account.

3. The Recipient agrees that it shall, at its sole cost and expense, retain title to and management over all land acquired in connection with the Project. The Recipient agrees, if it is the owner of the property on which the Project will be developed, to operate and maintain the Facilities in a safe and attractive manner for the use of the general public. In the case of Project Development on lands not owned by the Recipient, the Recipient agrees it shall obtain a renewable written easement, license, or use agreement for a minimum of five (5) years from the property owner and further agrees it shall, at a minimum, operate and maintain the developed Facilities in a safe and attractive manner for the use of the general public during the period of its easement, license or use agreement from the property owner. Without limitation of the foregoing, the Recipient shall, at its sole cost and expense, comply with the following particular requirements:

- A. The Facilities shall be kept open to the public at reasonable hours and times of the year consistent with the types of recreational opportunities offered therein, and shall be open to use and entry by all members of the public, regardless of race, color, creed, national origin, sex or place of residence, who are eligible according to reasonable rules and regulations for the use of the facilities adopted by the Recipient in accordance with the Project Agreement. Fees for use may be charged but must meet the above standards of nondiscrimination. Income from user's fees must be dedicated to the operation and maintenance of the Facilities.
- B. The Facilities shall be operated and maintained to present an attractive and inviting appearance to the public to the satisfaction of the State Project Manager. If the Recipient provides and maintains sanitation and sanitary facilities, they shall be maintained and operated in accordance with the applicable Federal, State and Local laws, ordinances, codes, rules, regulations, and standards. The Recipient shall keep the facilities safe for public use in good, operable condition and repair.

4. Upon request of the State, the Recipient shall, at its own cost and expense, keep any building, improvements or equipment, as designated by the State, forming part of the Facilities, insured against loss or damage by fire, lightning, vandalism, malicious mischief, theft, and such other risks as may be included in the broadest form of extended coverage available in an amount determined from time to time by the State to the full insurable value thereof.

5. Upon request of the State, the Recipient shall, at its own cost and expense, provide and keep in force comprehensive general public liability insurance against claims for personal injury, death or property damage occurring on, in or about the Facilities, or respecting the use of any vehicle or equipment used by the Recipient in connection with the Project or the Facilities, such insurance to be in form and amount determined from time to time by the State.

6. All insurance provided by the Recipient pursuant to this Agreement shall be carried by responsible companies satisfactory to the State. Certificates evidencing such policies shall be furnished to the State and shall require thirty (30) days prior written notice to the State of any cancellation or modification thereof.

7. The Recipient understands and agrees that by executing this Agreement and receiving the benefits hereof, it is irrevocably binding itself to operate, maintain, and care for the Facilities, all at its sole cost and expense, and in accordance with the Provisions of this Agreement. If the Recipient fails to fulfill any of its obligation hereunder, including without limitation of those relating to the operation, insurance, maintenance, and repair of the Facilities, the State may, at its election, in addition to other rights it may have hereunder or at law or in equity, operate and

insure the Facilities, provide such maintenance and repairs and/or otherwise perform the obligations of the Recipient for and on account of the Recipient, in which event any amounts so expended by the State shall become an amount due and payable by the Recipient to the State and the Recipient shall promptly reimburse the State for all such amounts

8. The Recipient shall post in a prominent place on the Facilities, and shall maintain in good condition, a sign, approved by the State, giving public acknowledgment of assistance from the Recreational Trails Program.

9. The Project and the Facilities, and all records pertaining thereto, shall at all reasonable times be open and available for inspection by the State, its agents and designees.

10. The Recipient shall indemnify, defend, and save the State harmless from and against any and all claims, expenses, damages, injuries, liabilities and costs (including reasonable attorneys' fees and court costs) arising out of or in any way in connection with the Project or any accident or occurrences therein or thereon.

11. The provisions of 5 M.R.S.A #784(2), regarding nondiscrimination in employment, are hereby incorporated into this Agreement by reference as if the same were set out in full herein.

12. The following terms and conditions are made a part of this Agreement:

- a. The Recipient shall be responsible for acquiring all local, state or federal permits required for development of the project site prior to any work being initiated.
- b. Plans for the development or improvement of any bridges or other load bearing structure shall be prepared or approved by a registered Professional Engineer and submitted to the State for approval prior to construction of such structure.
- c. Applicant will notify State Trail Administrator (STA) upon completion of project and request a project close-out inspection. STA, or designee, will inspect the project, prepare a written report, and forward a copy to the project sponsor. Any deficiencies noted in the report will be corrected and reported in writing to STA within four (4) weeks of sponsor's receipt of the inspection report.
- d. Upon submission of approved reimbursement requests, the State agrees to turn over to the Recipient federal funds granted hereunder up to the maximum indicated. Five (5) percent of the grant amount will be withheld until a project close-out inspection is completed and, if necessary, deficiencies are addressed and/or corrected.
- e. Any information and/or material prepared to promote this project must specifically recognize the Recreational Trails Program and its contribution to the project (i.e., "funded in part by the Recreational Trails Program"). This includes press releases, articles, maps, brochures, websites, and primary trailhead/utility signage.

**DEPARTMENT OF AGRICULTURE, CONSERVATION AND FORESTRY**

By: \_\_\_\_\_  
Mick Rogers, Community Grants Manager

And  
Town of Windham

By: \_\_\_\_\_  
Anthony Plante, Town Manager

# TOWN of WINDHAM

Department of Parks and Recreation  
8 School Road  
Windham, ME 04062

207-892-1905  
fax 207-892-1910

November 14, 2013,

It is the intent of Windham Parks and Recreation Department to seek funding through the 2014 Recreational Trail Grant Program to help improve public access to the property formally known as Chaffin Pond. This 123 acre parcel, now known as the Donnabeth Lippman Park, was purchased in 2011 by the Town of Windham from the Portland Water District for the purpose of turning the property into a Community Park. The requested \$35,000 will be used to help improve access across impassable wet areas so the public will have access to all areas of the property. The plan includes:

- Install boardwalks and foot bridges to complete the loop trail around the pond.
- Construct new trails, with a possible link trail to another town owned preserve.
- Construct a new trail on the south side of the pond that would complete the pond loop.
- Install park benches along existing and new trails.

Also, a hard packed handicap accessible trail to the waterfront would also be included in this project.

Please let me know if you have any questions, or need more information. My contact information:

Lynn Bucknell  
Windham Parks and Recreation  
8 School Rd  
Windham ME. 04062

Email: [lbucknell@town.windham.me.us](mailto:lbucknell@town.windham.me.us)  
Phone: 207-892-1905  
Fax: 207-892-1923

## RTP DEVELOPMENT APPLICATION – Part 1: GENERAL INFORMATION

<b>1) Applicant Information:</b> Please provide all of the following information.	
Organization Name: <b><u>Town of Windham Parks &amp; Recreation Department</u></b>	
Address: <u>8 School Rd</u>	
Contact Person Name and Title: <u>Lynn Bucknell Recreation Programmer</u>	
Telephone #: <u>207-892-1905</u>	E-Mail: <u>lmbucknell@town.windham.me.us</u>
Applicant is:	
<u>Governmental</u> <input type="checkbox"/> Federal <input type="checkbox"/> State <input type="checkbox"/> County <input checked="" type="checkbox"/> Municipal	<u>Organization</u> <input type="checkbox"/> Non-Profit <input type="checkbox"/> Other: _____  Federal Tax ID Number: <u>016-000440</u>
<b>2) Project Location:</b>	
Project Name: <u>Donnabeth Lippman Park</u>	
Location: City/Town(s): <u>Windham, ME</u>	
County(s): <u>Cumberland</u>	
<b>3) Recreational Trail Project Type:</b> Check the box for the type of project you are requesting funding for. Please refer to page 5 of the application packet to determine what category your project falls into. <b><u>Check only one box please.</u></b>	
<input type="checkbox"/> Non-motorized project <input type="checkbox"/> Motorized project <input checked="" type="checkbox"/> Diverse use project	
<b>4) Eligibility Category:</b> Check the box that most closely describes the type of project proposed. Please refer to page 1 of the application packet for more detailed definitions on these eligibility categories.	
<input type="checkbox"/> Maintenance and restoration of existing trails <input checked="" type="checkbox"/> Development and rehabilitation or trailside and trailhead facilities and trail linkages <input type="checkbox"/> Construction of new recreational trails <input type="checkbox"/> Acquisition of easements and fee simple title to property (must be willing seller) <input type="checkbox"/> Improvements to access and use by persons with disabilities  <input type="checkbox"/> Construction of new trail on federal lands.	

4) **Summary Project Description:** (include units of measure for your project –feet, miles, acres, etc.)

Project measurement: 123 acres (feet, miles, acres)

Brief Project Description:

This is the property, formally known as Chaffin Pond. The 123 acre property is a mix of woodlands and wetlands with a 10+ acre pond. The plan is to expand public access to all parts of the property. The NW corridor is impassible most of the time due to wet areas. This project would include approximately 300 ft. of boardwalk and foot bridges for access across wet areas. Approximately 1400 ft. of cuttings new trail. 6-8 park benches. Also a hard packed handicapped accessible trail to the waterfront.

6) **User Information:** Check all allowable trail uses that apply to area receiving RTP funds.

- |   |   |
|---|---|
| <input checked="" type="checkbox"/> Pedestrian Use (Hiking, Walking, Running) | <input checked="" type="checkbox"/> Accessible Access (ADA) |
| <input type="checkbox"/> Skateboarding  | <input checked="" type="checkbox"/> Biking                  |
| <input type="checkbox"/> In-Line Skating                                      | <input checked="" type="checkbox"/> X-Country Skiing        |
| <input checked="" type="checkbox"/> Equestrian                                | <input type="checkbox"/> All-Terrain Vehicle                |
| <input checked="" type="checkbox"/> Snowshoeing                               |   |
| <input type="checkbox"/> Motor boating  |   |
| <input checked="" type="checkbox"/> Paddling                                  |   |
| <input type="checkbox"/> Dog sledding   |   |
| <input type="checkbox"/> Snowmobiling   |   |

Other: Fishing

7) **Project Land is:** (check all that apply, who owns the land)

- Publicly owned     Privately owned     Trail fee is charged (provide fee schedule)

**Project land is controlled by: (check all that apply and attach documentation)**

- Fee Simple     Easement     Lease     Written Permission  
 Other:     Owned by sponsor

8) **Trail Linkages:** Does this project link to parts of any other trail(s)?

Yes     No    If yes, which trail(s)? attach map showing trail linkages

What is the significance of this project?

- Local     Regional     Statewide     National

9) **Grant Category:**

- Small (<\$15K)     Medium (\$15K - <\$35K)     Large (motorized bridge only)

10) **Budget Summary:**

Total Project Cost: \$ 39,836

RTP Funds Requested: \$ 35,000

**RTP DEVELOPMENT APPLICATION – Part 2: FINANCIAL INFORMATION**

Applicant needs to provide estimated project costs as follows:

1) Professional Design/Engineering Services \$ 8,500

2) Purchase of Services (professional trades people): List type of special services required

_____	\$ _____
_____	\$ _____
_____	\$ _____
_____	\$ _____

3) Construction Contract(s): Contract with General Contractor for completion of project.

Type of Contract: <i>Maine Conservation Corps</i>	\$15,000
Type of Contract: _____	\$ _____
Type of Contract: _____	\$ _____
Type of Contract: _____	\$ _____

4) Equipment Rental: (list types, i.e., dump truck, backhoe, welder, etc. Not hand tools)

_____	_____	Hours	\$ _____	Rate	\$ _____
_____	_____	Hours	\$ _____	Rate	\$ _____
_____	_____	Hours	\$ _____	Rate	\$ _____
_____	_____	Hours	\$ _____	Rate	\$ _____
_____	_____	Hours	\$ _____	Rate	\$ _____
_____	_____	Hours	\$ _____	Rate	\$ _____

5) Purchase of Materials:

Project Use	Material	Unit Price	Quantity	Cost
<i>Boardwalks / bridges</i>	<i>Wood/Metal</i>	\$ _____	<i>300 ft</i>	<i>\$11,566</i>
<i>Stone dust</i>	<i>Rock</i>	<i>\$300</i>	<i>2 loads</i>	<i>\$600</i>
<i>Benches</i>	<i>wood</i>	<i>\$300</i>	<i>6</i>	<i>\$1800</i>
<i>Misc Costs</i>	_____	<i>\$300</i>	<i>1</i>	<i>\$300</i>
_____	_____	\$ _____	_____	\$ _____
_____	_____	\$ _____	_____	\$ _____

5) Direct Labor Cost: "In-kind" labor rate is a maximum of \$10.00/hour

Total Hours: 180 X Wage/hour: \$10 = \$ 1800

7) Administrative Cost(s):

Total Hours: 15 X Wage/hour: \$18 = \$ 270

8) Acquisition Costs:

Fee Simple \$ \_\_\_\_\_ Easement \$ \_\_\_\_\_

**TOTAL PROJECT COST**

**\$ 39,836.00** (Must match total on Page 25)

### COST SHARE SUMMARY

	Grant Amount	Applicant Cash	Applicant In-kind	Total Cost
Design/Engineering	*\$3500	• \$5000	\$	\$8500
Purchase of Services	\$		\$	\$
Construction Contracts	\$15,000	\$	**\$	\$15,000
Equipment Rental	\$	\$	**\$	\$
Materials	\$14,266	\$	**\$	\$14,266
Labor	\$	\$1800	***\$	\$1800
Administration	*\$ 270	\$	\$	\$270
Acquisition	\$	\$	\$	\$
<b>Totals</b>	\$33,036	****\$6800+	***\$	\$39,836

\*Design/Engineering/Administration reimbursable costs cannot exceed 10% of RTP funds.

\*\*Cost of donated materials, equipment, and/or labor must be verified.

\*\*\*In-kind labor rate is \$10.00 per hour.

\*\*\*\*Total Applicant cash and in-kind (donated) costs must be at least 20% of total project cost.

**PLEASE MAKE SURE TOTAL PROJECT COSTS ARE THE SAME AS PAGE 24**

- \$5000 estimate for Archeological Survey required by Maine Historical Preservation Commission, section 106



**RTP TRAIL DEVELOPMENT APPLICATION – Part 3: EVALUATION CRITERIA**

**Complete (in the space provided) sections number 1 through 12 for all grants:**

**1) Project Description:** *(Please use the space provided to describe your project in detail focusing on your organization's mission, brief history and the work you plan to accomplish using this grant.)*

The property for the Donnabeth Lippman Park was purchased in May of 2011 by the Town of Windham. Thanks to a generous monetary donation from the Lippman family, the Town of Windham was given back the cost of that purchase price. Prior to the land purchase, the Town of Windham leased the property from the Portland Water District. The property is 123 acres of woodlands and wetlands with a 10 acre pond. The Windham Town Council encouraged and endorsed the purchase of this property with the provision this would be made into a Community Park. Presently there is a trail that loops part way around the pond for hiking and biking in the summer and x-country skiing and snow shoeing in the winter. Fishing is also a popular activity on the property. The pond is stocked with Brook Trout yearly by IFW. The Windham Parks & Rec Department would like to work with the existing trail system to expand and rehabilitate existing trails. Make a linkage trail to another town owned wildlife preserve that is close by. We have worked with the engineering firm of Mitchell and Associates to help come up with a plan to give this piece of property many passive and active recreation opportunities. The plan is to complete the project in 4 phases. Phase 1 is to expand public access to all parts of the property. Currently construction is under way to widen the road and expand public parking. With the installation of boardwalks and foot bridges the Windham Parks and Rec will accomplish our goal of creating public access around the entire pond. Benches along the route will accommodate those who need to sit and rest. The project will also include a level, hard packed handicapped accessible trail coming from the newly expanded parking lot to the picnic area and waterfront.

**2) Permits**

Explain what permits are required in order to complete the project. If permits have been secured, provide copies. We need a copy from local Code enforcement officer, Department of Environmental Protection or the Land Use Regulation Commission that permits are or are not needed?

This property is owned by the Town of Windham. A construction permit is required for this project from the Army Corps of Engineers. Application for the permit to be submitted in the Spring of 2014.

**3) Environmental Mitigation (0-10 Points)**

Describe how the project prevents, corrects or mitigates any impacts to the natural environment. How will this trail work improve the natural environment. What type of Best Management Practices will be used when constructing/improving this trail? Be specific.

With the use of boardwalks and foot bridges over the impassable wet areas, the public will have access to all areas of the park. As it exists, the NW corner is too wet for any kind of access. Other spots in the park are sometimes impassable as well depending on the season and weather. At certain times of the weather the water is high in certain spots. Those areas will also be addressed. There should be little to no impact on the existing natural environment. Natural habitats will remain untouched.

**4) Maintenance Commitment (0-10 Points)**

What entity(ies) will be responsible to provide on-going maintenance for the project; what equipment will be needed, and is it currently available; what is the source of maintenance funds. Please provide documentation for this maintenance commitment.

The Windham Parks & Rec is responsible, and will remain responsible for maintenance to all of our parks and preserves. The building of new trails, the rehabilitation and maintenance of existing trails falls under the auspices of the Parks & Recreation Department. The Donnabeth Lippman Park will be part of the staffs' rotation. If there should be a maintenance need that would require heavy equipment, we do have access to our Public Works Department.

**5) Community Support (0-10 Points)**

What groups in the community/region support this proposal (trail user groups, community service organizations, community leaders, recreation/environmental groups, businesses, health organizations, etc.) and provide documentation of such support (letters, news articles, minutes of meetings, etc.).

The purchase of this piece of property was endorsed by the Windham Town Council in 2010. The proposal was to purchase the land and turn it into a close to home Community Park. Thanks to a generous monetary donation from the Lippman family, the Town of Windham was given back the cost of that purchase price. Mr Lippman has also donated a granite sign that has been erected at the entrance of the park. The business community has endorsed this project with a letter of support from The Windham Chamber of Commerce. Once this project has completed all phases, it is anticipated to attract a wide variety of user groups. The park will be made available for outdoor Eagle Scout project opportunities. The Parks and Recreation Director has met with 2 possible Eagle Scout candidates over the last few months in regards to projects at the park. The park's design is for users of all ages.

**6) Trail Corridor Sharing (0-10 Points)**

What types of trail uses will be allowed (must be permitted by landowner and documentation provided). If the trail is multi-use, how does the project provide for compatible recreational activities and what measure will be used to avoid user conflicts.

The trail network will be developed to incorporate multiple uses such as hiking, biking, cross-country skiing, fishing and paddling. Signage will encourage low impact compatible recreational activities while informing users of prohibited activities. The allowed activities of the Donnabeth Lippman Park are designed to co exist with other interest groups. In a case of user conflicts, all activities can take place at the same time and have minimal impact on the other user groups.

**7) Funding (0-10 Points)**

Indicate the source(s) of the local match (at least 20% of total project cost), and status of project match commitment at the time of application submission.

<u>Source</u>	<u>Amount</u>	<u>No contact</u>	<u>Commitment</u>	<u>Contact, not Committed*</u>
Municipal tax appropriation	_____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Cash from applicant's funds	<u>\$ 5000</u>	<input type="checkbox"/>	X	<input type="checkbox"/>
Cash donations from others	_____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Non-cash donations (materials)	_____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Donated labor	<u>\$1800</u>	<input type="checkbox"/>	X	<input type="checkbox"/>
Other: _____	_____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**\*Include letter of commitment from source for amount committed and tab as "Exhibit 1".**

**8) Control and Tenure (0-5 Points)**

Do you have the right(s) to develop this property with RTP funds and will the general public have access and use of the project for at least a five (5) year period (10 years for motorized projects in excess of \$35,000 in RTP funds)? **\*Must have letters if not owned by sponsor**

X Yes  No How do we address snowmobile trails?

More than five (5) or ten (10) years? X Yes How long? indefinite

**9) Trail User Education (0-5 Points)**

Describe how this project will be promoted and publicized to make the public aware of its existence and allowable uses.

A donated granite sign has been erected at the entrance. The 3 local town newspapers take great interest to what's happening at the Donnabeth Lippman Park. The Town of Windham Website will have information, directions and trail maps online. A Trail map is included in the town's published trails brochure. Updated information and progress will be included in the Parks & Recreation Flyer. Signage is in place informing users of prohibited activities. The trails are currently on the Maine Trail Finder website.

**10) Accessibility (0-10 Points)**

- a. Will this project or sections of the project) meet ADA guidelines? If yes, specifically describe how the project facilitates and improves the access and use of trails by persons with disabilities and impairments. Trails for exclusively for motorized use do not need to fill this section

A new hard packed trail from the newly expanded parking lot will give access to the picnic area and waterfront for all persons with disabilities. Provisions will be made for wheel chair accessibility. All handicapped trails will follow ADA requirements.

- b.) Is the trail accessible to other users with disabilities (other than just wheelchair users). Applicant must be specific with how the project will be constructed to be accessible to these groups including trail assessments to comply with the new Department of Justice ADA rules?

All trails made to accommodate handicapped and disabled users will be ADA compliant and will meet the required guidelines, for wheelchair and non wheelchair persons with disabilities.

**11) Previous RTP Grant History (0-10 Points)**

Indicate the most recent year applicant has received an RTP grant:

- |                                   |                                     |
|-----------------------------------|-------------------------------------|
| a). FY 2013 – 0 pts.              | <input type="checkbox"/>            |
| b). FY 2012 – 1 pt.               | <input type="checkbox"/>            |
| c). FY 2011– 2 pts.               | <input type="checkbox"/>            |
| d). FY 2010 – 3 pts.              | <input type="checkbox"/>            |
| e). FY 2009– 4 pts.               | <input type="checkbox"/>            |
| f). prior to FY 2008– 5 pts.      | <input checked="" type="checkbox"/> |
| g). no prior RTP grants – 10 pts. | <input type="checkbox"/>            |

- |  |           |                                     |
|--|-----------|-------------------------------------|
| b) was previous grant completed in 1 year? | 0 points  | <input checked="" type="checkbox"/> |
| 2 years?                                   | -2 points | <input type="checkbox"/>            |
| Longer than two years?                     | -4 points | <input type="checkbox"/>            |

Status of older RTP funded projects will be part of scoring criteria.

**12) Maine Conservation Corps (0-2 Points)**

Is the project supported through a letter of commitment between the applicant and the Maine Conservation Corps in which the corps agrees to supply a stated amount of labor? (Maine Conservation Corps is the recognized youth conservation/service corps).

Yes  (provide copy of letter tabbed as "Exhibit 3")

No

**13) Site Visit (0-10 points)**

**Did the sponsor request a pre-site inspection by the required deadline?**

Yes

No

**Complete (in the space provided) sections number 14 through 18 for grants in excess of \$15K:**

**14) Need Assessment: (0-10 Points)**

Describe why this project is important/needed. Is the proposed project identified as a priority need in a current (less than 5 years old) trail/greenways plan, land management plan, recreation plan, municipal/regional comprehensive plan, and/or State Comprehensive Outdoor Recreation Plan (SCORP)? If not, how was the need for the proposed project determined? Provide documentation to support the need assessment.

The last Comprehensive Plan for the Town of Windham was in 2003, long before the purchase of this property. Some of the findings in the report show the Town of Windham has recreational deficits and what those deficits are. By going forward with this project, after the completion of phase 4, the majority of the deficits that have been identified will have been addressed and corrected. In the Comprehensive Plan it states that Windham's Recreational facilities are in high demand. The current availability of public rec facilities has not kept up pace with the growth of the community. It further goes on to state that Windham needs to identify for purchase and maintenance open space for recreation. If possible, land used for open space uses should serve multiple purposes and various sites should be connected by trails or wildlife corridors.

From the Maine SCORP, More Maine residents are participating in outdoor activities at an overall higher rate than the national average. Studies and trends show Windham is lacking in open spaces and outdoor recreation facilities. This will be a way to provide close to home trails that will serve a wide spectrum of users from all ages.

**15) Project Planning/Design/Maintenance for Intended Users (0-15 Points)**

- a). Describe the planning/design process for the project. Have professionals such as landscape architects, engineers, planners been involved, or will they be involved if the grant is awarded? How will the project be administered and managed?

The Windham Parks and Rec Recreation Department has been working with the engineering firm of Mitchell and Associates to come up with a Master Plan for the Donnabeth Lippman Park. The Master plan was approved and endorsed by the Windham Town Council in November of 2012. This plan will be done in 4 phases. Phase 1 is to open up public access. With the help of the Maine Conservation Corp, bridges across wet areas will help with the completion of phase 1. Some of the elements in phase 1 are currently under construction. The Windham Parks and Recreation Department will be responsible for the overseeing of all phases of the project. The Windham Parks and Recreation Department will be responsible for the maintenance of the park.

- b.) How will the project be designed, constructed, and maintained to provide the specific trail opportunities for all the various trail users identified in "Part 1, General Information, Section 6: User Information" of this application?

The Maine Conservation Corp has made the commitment to work with the Windham Parks and Recreation Department in designing, constructing and installing the boardwalks and bridges. Parks and Recreation maintenance will do the work of improving, rehabilitating and blazing of any new trails, including the handicapped assessable trail to the waterfront. Also the Windham Parks and Recreation maintenance will design, construct and install the benches.



**16) Partnerships (0-5 Points)**

Does this project improve or create interagency cooperation, public/private, and/or private/private partnerships among trail users, private interests, organizations, and/or public agencies? If so, explain how and provide documentation.

This project, while still in its infancy, has the potential for a multitude of uses from many different types of user groups. The passive groups such as the hikers and bird watchers, to more active groups like x-country skiers and mountain bikers. The potential to offer surrounding schools districts and area colleges an avenue to study Ecological Environmental Sciences will be huge. Girl Scouts and Boy Scouts retreats, Recreation Programming such as Fishing Derbies. The pond gets stocked yearly by IFW. The Maine Conservation Corps will be asked to help with more projects as we try to complete the remaining phases.

**17) Linkages (0-10 Points)**

If applicable, describe how this project provides linkages to other trails, greenways, scenic corridors, conservation lands, or cultural/historical/recreation areas. Are the linkages of local, regional, state-wide, or national significance? Show map of how trail links with others

The Town of Windham does own another nature preserve in the very close proximity to the Donnabeth Lippman Park. There is a private land owner / owner(s) in between. The Windham Parks and Recreation will be seeking owner permission to be allowed to make a linking trail to another town owned wildlife preserve. Attached is a trail map of the area showing the connections of the two town properties.

\*Exhibit 1

**18) Status of Previously Funded RTP Projects (-10 to 0 Points)**

Provide a brief narrative on each previous project your organization has received RTP funding for. The narrative should provide the following information: project name, project number, is the project still available to and being used by the public (if not, explain why), condition of trail (s), if previous project(s) were withdrawn.

2006 Environmental Education/Safety Education Funds Grant - Chaffin Pond Interpretive Trail Signage Project was completed before the year was up. The signs and kiosk are still an important part of the existing trail system.

# Town of Windham

Office of the Town Manager  
8 School Road  
Windham, ME 04062

Anthony T. Plante, Town Manager  
atplante@town.windham.me.us

voice 207.892.1907

fax 207.892.1910

November 18, 2013

Mr. Mick Rogers, Supervisor of Outdoor Recreation  
State of Maine Division of Parks and Public Lands  
124 State House Station  
Augusta, ME 04333

Re: Recreation Trail Development Grant Program Applications

Dear Mr. Rogers,

On behalf of the Windham Town Council I am writing to inform you that the Council unanimously approved the following order at its meeting of November 12, 2013:

Order 13-177: To issue a letter in support of a grant application to the Maine Division of Parks and Public Lands for improvements to the Donnabeth Lippman Park as outlined in a memorandum from the Parks & Recreation Director dated November 4, 2013.

A copy of the memorandum from Parks & Recreation Director Brian Ross that accompanied the backup material for the Council's order is attached.

Please let me know if you have any questions.

Sincerely,



Anthony T. Plante  
Town Manager

Enclosure

# TOWN of WINDHAM

Department of Parks and Recreation  
8 School Road  
Windham, ME 04062

207-892-1905  
fax 207-892-1910

MEMO

TO: Windham Town Council  
THROUGH: Tony Plante, Town Manager *BR* *OTP*  
FROM: Brian Ross, Parks and Recreation Director  
SUBJECT: Grant for Donnabeth Lippman Park  
DATE: November 4, 2013

The Parks and Recreation Department is working on a grant application to the Maine Division of Parks and Public Lands for Donnabeth Lippman Park. The grant application to the Recreation Trail Development Grant Program requires a resolution of support from the Town Council. The town applied for and was awarded a grant through the same program in 2006 for educational signs through-out the Chaffin Pond property.

The grant will be for approximately \$35,000 and will include the following components for the Donnabeth Lippman Park:

- A board walk section of approximately 300 feet in back section of the pond. The boardwalks would provide access around the entire pond making a great 1.5 mile loop walk.
- A new trail would be constructed on the south side of the pond that would provide a closer connection to the pond and pond environments.
- Several new benches would be constructed on the trails
- A handicapped path from the parking lot to the pond area will make a portion of the park handicapped accessible.

The new boardwalks and new trail are part of the Master Plan that was approved by the Town Council from Mitchell & Associates. This trail grant is an 80/20 split meaning the grant would cover 80% of the cost of the project and Town of Windham would cover the 20% of the project which would be approximately \$7,000 either in cash or in-kind services. The grant due date is November 23, 2013.

Please let me know if you have any questions. I plan to attend the November 12<sup>th</sup> meeting if any further information is needed.

# Town of Windham

Planning Department  
8 School Road  
Windham, ME 04062

voice 207.894.5960 ext. 2

fax 207.892.1916

November 14, 2013

Mick Rogers  
Supervisor, Outdoor Recreation  
Division of Parks and Public Lands  
Department of Conservation  
22 State House Station  
Augusta ME 04333-0022

Dear Mr. Rogers,

The DonnaBeth Lippman Park project has been reviewed by the Town of Windham Planning Board and is consistent with applicable local plans and zoning ordinances.

The first phase of the project's implementation was approved by the Board on September 16, 2013, which involved the widening of the existing access road into the Park, and the construction of a new parking area. See the Findings of Fact and Conclusions for that application, attached below.

The improvement of existing trails, including the installation of boardwalks in wetter areas, and the creation of new trails do not require additional Planning Board approval.

Regards,



Ben Smith  
Assistant Town Planner  
Town of Windham

13-09 Donnabeth Lippman Park Access and Parking - Major Site Plan  
Findings of Fact & Conclusions

FINDINGS OF FACT

**Utilization of the Site**

- The 104 acre site is mostly wooded and used for passive recreation activities today. Chaffin Pond is located on the property.
- There are 4 existing buildings that were in use as part of the PWD operations at the site, but are not used today. The buildings are proposed for reuse in future phases of park development.
- There is currently a gravel parking area that can accommodate about 10 vehicles, located about 400 feet from Route 302. Access to the park is by foot through a fenced gate beyond that point.

**Vehicular and Pedestrian Traffic**

- The applicant is proposing to add thirty-two (32) parking spaces as part of Phase 1 of the project, and an additional thirty-six (36) as part of Phase 2. The area for Phase 2 parking will be cleared, graded, and seeded as an open lawn area until there is a demand for additional parking.
- The existing 12-foot wide gravel access drive is proposed to be expanded to 22 feet, except in the vicinity of the existing 36-inch cross culvert.
- The access drive in the vicinity of the existing 36-inch culvert is proposed to be left at the existing 12-foot width. A replacement structure for the existing culvert is being discussed with DEP and the Army Corps of Engineers, and they would need to approve any potential change. See the suggested wording for a Condition of Approval #2 below.
- The existing gate is to be replaced with an electronic gate that will control vehicular access to the park. A pedestrian gate in the fence will be retained as part of the new design. Note that the gate detail shown on Sheet 8 should match the electronic gate shown on Sheet 3.

**Sewage Disposal and Groundwater Impacts**

- The site is currently served by a portable toilet located at the parking area.
- The applicant should consider relocating the portable toilet to the proposed parking area prior to the installation of permanent toilet facilities.
- The proposed changes should not have a significant impact on the quantity or quality of area groundwater.

**Stormwater Management**

- The project has received a Maine DEP permit by rule for the widening of the road and the Phase 1 parking area on August 30, 2013. Permit by Rule #56659.

- A replacement structure for the existing culvert must receive approvals from Maine DEP and the Army Corps of Engineers. See the suggested wording for a Condition of Approval #2 below.

### **Erosion Control**

- A soil erosion and sediment control plan has been submitted with the final plan set. Notes and details are included on Sheet 7. Silt fencing and erosion control mix locations have been designated on Sheets 4, 5, and 6.

### **Utilities**

- New underground electrical and cable service will be run into the site as part of the road construction.

### **Financial Capacity**

- As part of Final Plan submission dated August 12, 2013, the applicant shows an estimate the total project costs. These costs have been budgeted for by the Windham Parks and Recreation Department.

### **Landscape Plan**

- Split-rail fencing is shown on the plans, as a means to protect the parking islands and define the parking areas.

### **Conformity with Local Plans and Ordinances**

#### 1. Land Use

- This project meets the standards of the RP, F, C-1, APA, and APB zoning districts.

#### 2. Comprehensive Plan

- This project meets the goals and objectives of the 2003 Comprehensive Plan.

#### 3. Others:

- None.

### **Impacts to Adjacent/Neighboring Properties**

- The proposed parking and open lawn area will not have an adverse impact on abutting properties, as they will be located interior to the site.
- No lighting is proposed as part of this project.
- The park will not be open past dusk, so night-time noise or lighting cissues are not anticipated.

## CONCLUSIONS

1. The plan for development **reflects** the natural capacities of the site to support development.
2. Buildings, lots, and support facilities **will** be clustered in those portions of the site that have the most suitable conditions for development.
3. Environmentally sensitive areas, including but not limited to, wetlands; steep slopes; flood plains; significant wildlife habitats, fisheries, and scenic areas; habitat for rare and endangered plants and animals; unique natural communities and natural areas; and, sand and gravel aquifers **will** be maintained and protected to the maximum extent.
4. The proposed site plan **has** sufficient water available for the reasonably foreseeable needs of the site plan.
5. The proposed site plan **will not** cause unreasonable soil erosion or a reduction in the land's capacity to hold water so that a dangerous or unhealthy condition results.
6. The proposed use and layout **will** be of such a nature that it will make vehicular or pedestrian traffic no more hazardous than is normal for the area involved.
7. The proposed site plan **will** provide for adequate sewage waste disposal.
8. The proposed site plan **conforms** to a duly adopted site plan regulation or ordinance, comprehensive plan, development plan, or land use plan.
9. The developer **has** adequate financial capacity to meet the standards of this section.
10. The proposed site plan **will not** alone or in conjunction with existing activities, adversely affect the quality or quantity of ground water.
11. The proposed site plan **will** provide for adequate storm water management.
12. The proposed location and height of buildings or structure walls and fences, parking, loading and landscaping shall be such that it **will not** interfere or discourage the appropriate development in the use of land adjacent to the proposed site or unreasonable affect its value.
13. On-site landscaping **does** provide adequate protection to neighboring properties from detrimental features of the development that could be avoided by adequate landscaping.

## CONDITIONS OF APPROVAL

1. Approval is dependent upon, and limited to, the proposals and plans contained in the application dated May 13, 2013, as amended August 3, 2013, and supporting documents and oral representations submitted and affirmed by the applicant, and conditions, if any, imposed by the Planning Board, and any variation from such plans, proposals and supporting documents and representations are subject to review and approval by the Planning Board or the Town Planner in accordance with Section 814.G. of the Land Use Ordinance.
2. Planning staff may approve a minor modification to the Site Plan related to the replacement of the existing 36-inch culvert provided the modification does not adversely impact the flow calculations approved by the Planning Board.



# TOWN OF WINDHAM

Code Enforcement Office  
8 School Road  
Windham, Maine 04062

*Voice 207.892.1901 or 1902  
Fax 207.892.1916*

November 13, 2013

Dear Mick:

I have reviewed the project for the Lippman Park grant proposal regarding the boardwalks and trail improvements. The project would require a construction permit for the proposed boardwalks and approval from Army Corp of Engineering for crossing the wetlands on the property. The construction of the boardwalk proposed would be a great asset for the new park.

If you have any further questions please call at the above numbers.

Sincerely,



Heather McNally  
Director of Code Enforcement and Zoning Administration  
Town of Windham  
8 School Rd.  
Windham, ME 04062  
[hmcnally@town.windham.me.us](mailto:hmcnally@town.windham.me.us)  
(207)894-5900 ext. 6111

## Lynn Bucknell

---

**From:** Reed, Robin K <robin.k.reed@maine.gov>  
**Sent:** Wednesday, October 23, 2013 4:46 PM  
**To:** Lynn Bucknell  
**Cc:** Rogers, Mick; Spiess, Arthur  
**Subject:** MHPC# 1448-13 RTP application for Donnabeth Lippman Park project; Windham  
**Attachments:** Contract Archaeology Guidelines.pdf

### **MHPC# 1448-13 RTP application for Donnabeth Lippman Park project; Windham**

Lynn:

In response to your recent request, our office has reviewed the information received September 24, 2013 to initiate consultation on the above referenced project pursuant to Section 106 of the National Historic Preservation Act of 1966, as amended.

In order to continue our review, we require the following information for review:

1. Our office has concluded that the project area possibly contains one or more prehistoric archaeological sites based on our predictive model of archaeological site location. Therefore, Phase I historic archaeological survey is necessary for the project area prior to any ground disturbance. A list of qualified historic archaeologists may be found on our website: [http://www.maine.gov/mhpc/project\\_review/consultants/prehistoric\\_archaeology.shtml](http://www.maine.gov/mhpc/project_review/consultants/prehistoric_archaeology.shtml) Please find attached material explaining the Phase I/II/III approach to archaeological survey. This information can also be found on our website: [www.maine.gov/mhpc/project\\_review](http://www.maine.gov/mhpc/project_review) This office must approve any proposal for archaeological fieldwork.

Please contact Dr. Art Spiess of our staff at 287-2789 or [arthur.spiess@maine.gov](mailto:arthur.spiess@maine.gov) if you have any questions about our request for survey.

We look forward to continuing consultation with you on this project.

Robin K. Reed  
Maine Historic Preservation Commission  
55 Capitol Street  
65 State House Station  
Augusta, ME 04333  
phone: 207-287-2132 ext. 1  
fax: 207-287-2335  
[robin.k.reed@maine.gov](mailto:robin.k.reed@maine.gov)  
<http://www.maine.gov/mhpc>



ANGUS S. KING, JR.  
GOVERNOR

MAINE HISTORIC PRESERVATION COMMISSION  
55 CAPITOL STREET  
65 STATE HOUSE STATION  
AUGUSTA, MAINE  
04333

EARLE G. SHETTLEWORTH, JR.  
DIRECTOR

## CONTRACT ARCHAEOLOGY GUIDELINES

June 10, 2002

This document is provided as background information to agencies, corporations, professional consultants or individuals needing contract archaeological services (also known as Cultural Resources Management archaeology) in Maine. These guidelines are based on state rules (94-089 Chapter 812).

### Finding an Archaeologist

At the time that MHPC issues a letter requiring archaeological survey work, MHPC will also supply one (or more) lists of archaeologists (Levels 1 and/or 2, historic or prehistoric) appropriate to the type of work (Phase I, II, III, historic or prehistoric). **Archaeologists on the Level 2 Approved Lists can do projects of any level, including Phase I archaeological survey projects.** Level 1 archaeologists are restricted to doing Phase I surveys, and certain planning projects for municipal governments.

MHPC maintains lists of archaeologists interested in working in different geographic areas of Maine, and those who are qualified in different types of work. The archaeologists themselves indicate their availability (except for short-term absence) to MHPC on a periodic basis, so archaeologists on the list can be expected to respond to inquiries. The applicant should solicit proposals or bids for work from archaeologists whose names appear on the list supplied by MHPC.

These archaeologists' names are taken from lists of archaeologists approved for work in Maine by MHPC under a set of rules establishing minimal qualifications, such as previous supervisory experience in northern New England, and an appropriate graduate degree. *However, the inclusion of an archaeologist on one of these lists should not be interpreted as an endorsement by the MHPC beyond these limited qualification criteria. Moreover, the MHPC cannot recommend the services of an individual archaeologist.*

### Project Types

The vast majority of contract archaeology survey work falls into one of three categories. **Phase I** surveys are designed to determine whether or not archaeological sites exist on a particular piece of land. Such work involves checking records of previous archaeology in the area, walking over the landscape to inspect land forms and look for surface exposures of soil and possible archaeological material, and the excavation of shovel test pits in areas of high probability.

**Phase II** surveys are designed to focus on one or more sites that are already known to exist, find site limits by digging test pits, and determine site content and preservation. Information from Phase II survey work is used by the Maine Historic Preservation Commission (MHPC) to determine site significance (eligibility for listing in the National Register of Historic Places). **Phase III** archaeological work, often called data recovery, is careful excavation of a significant archaeological site to recover the artifacts and information it contains in advance of construction or other disturbance.



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Archaeological sites are further divided into two broad categories of culture, **prehistoric** (or Native American), and **historic** (or European-American). Different archaeological specialists are usually needed for prehistoric or historic sites because the nature of content and preservation and site locations are quite different.

### **Scope of Work**

In responding to a project submission, the MHPC may issue a letter specifying which type of archaeological survey is needed (prehistoric, historic or both) and at what level (Phase I, II, or III). Often the response letter contains further information, such as the suspected presence of an historic site of a certain age, or a statement that only a portion of the project parcel in question is sensitive for prehistoric sites and only that portion needs archaeological survey.

Once the project applicant has one or more scopes of work (proposals) from appropriate archaeologists (see below), the applicant should submit their preferred proposal (*without attached financial information or bid total*) to the MHPC for approval. MHPC will not comment upon cost, but will comment on the appropriateness of the scale and scope of the work. An approval from MHPC of the scope of work is the applicant's guarantee that, if the field and laboratory work are done according to the scope, and appropriately described in writing, the results will be accepted by MHPC.

The final written report on the project must also be submitted to MHPC for review and comment.

### **Project Final Report**

Whatever the archaeological survey result, a final report on the project should be submitted by the applicant to the MHPC. The MHPC will review the report, and issue further guidance or issue a "clearance" letter for the project.



PAUL R. LEPAGE  
GOVERNOR

STATE OF MAINE  
DEPARTMENT OF  
INLAND FISHERIES & WILDLIFE  
284 STATE STREET  
41 STATE HOUSE STATION  
AUGUSTA ME 04333-0041

CHANDLER E. WOODCOCK  
COMMISSIONER

October 18, 2013

Lynn Bucknell  
Windham Parks and Recreation  
8 School Rd  
Windham ME 04062

**RE: Information Request - RTG Windham Parks and Recreation Donnabeth Lippman Park,  
Windham**

Dear Lynn Bucknell:

Per your request received October 08, 2013, we have reviewed current MDIFW information for known locations of Endangered, Threatened, and Special Concern species; designated Essential and Significant Wildlife Habitats; and Fisheries Habitat concerns within the vicinity of *RTG Windham Parks and Recreation Donnabeth Lippman Park Project* in Windham.

Our information indicates no locations of Endangered, Threatened, or Special Concern species within the project area. Additionally, our Department has not mapped any Essential or Significant Wildlife Habitats that would be directly affected by your project.

***Fisheries Habitat Concerns***


MDIFW currently has a brook trout stocking program at this location, and based on the existing walk-in access situation it is a relatively popular fishing site. MDIFW requests that we be made aware of any changes to public access provisions as part of this project, as this may necessitate a change in our stocking program. Please contact our Region A Fisheries Biologist (Jim Pellerin, 657-2345) if there are any planned changes to the access.

This consultation review has been conducted specifically for known MDIFW jurisdictional features and should not be interpreted as a comprehensive review for the presence of other regulated features that may occur in this area. Prior to the start of any future site disturbance we recommend additional consultation with the municipality, and other state resource agencies including the Maine Natural Areas Program and Maine Department of Environmental Protection in order to avoid unintended protected resource disturbance.

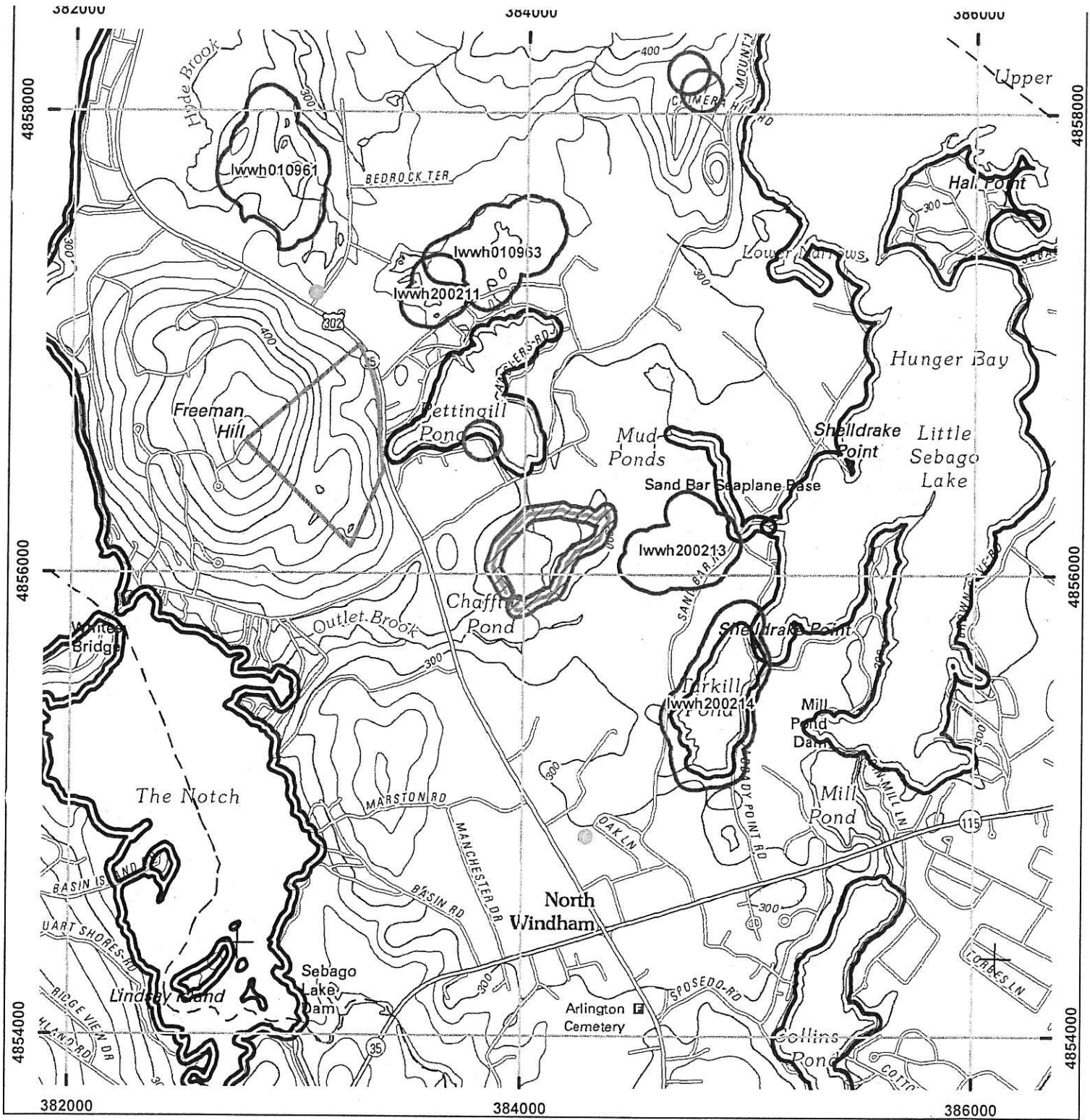
Letter to Lynn Bucknell  
Comments RE: RTG Windham Parks and Rec Donnabeth Lippman Park  
October 08, 2013

Please feel free to contact my office if you have any questions regarding this information, or if I can be of any further assistance.

Best regards,

A handwritten signature in black ink, appearing to read 'John Perry', written in a cursive style.

John Perry  
Environmental Review Coordinator

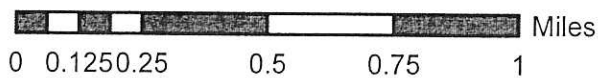


## Environmental Review of Fish and Wildlife Observations and Priority Habitats

Project Name: RTG Windham Parks and Rec Donnbeth Lippman Park (Version 1)



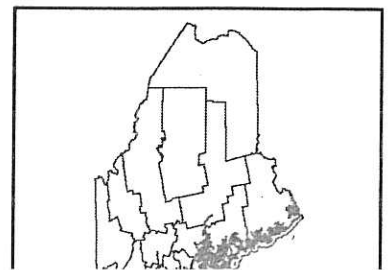
Maine Department of  
Inland Fisheries and Wildlife



Projection: UTM, NAD83, Zone 19N

Date: 10/12/2013

ProjectPoints	Deer Winter Area	Roseate Tern
ProjectLines	LURC p-fw	Piping Plover/Least Tern
ProjectPolys	Cooperative DWAs	Aquatic ETSc (2.5 mi review)
ProjectSearchAreas	Seabird Nesting Islands	Rare Mussels (5 mi review)
	Shorebird Areas	A and B List Ponds
	Inland Waterfowl/Wading Bird	Arctic Charr Habitat
	Shoreland Zoning_lwwh	E. Brook Trout Joint Venture Subwatershed Classification
	Tidal Waterfowl/Wading Bird	Redfin Pickerel/Swamp Darter Habitats (buffer 100ft)



# Maine Natural Areas Program

17 Elkins Lane

State House Station #93

Augusta, Maine 04333

---

**Date:** September 26, 2013

**To:** Lynn Bucknell, Parks and Recreation, Town of Windham

**CC:** Mick Rogers, Bureau of Parks and Lands

**From:** Don Cameron, Ecologist

**RE:** Rare and exemplary botanical features, Donnabeth Lippman Park (formerly Chaffin Pond) RTP Project, Windham, Maine.

---

I have searched the Natural Areas Program's Biological and Conservation Data System files for rare or unique botanical features in the vicinity of the proposed site in response to your request received September 25, 2013 for our agency's comments on the project.

According to our current information, the project intersects with a red maple swamp. High quality examples of red maple swamps are uncommon in Maine. There are no concerns with construction of new trails, boardwalks to pass rest areas, or a handicap accessible trail to the waterfront. We do suggest that any public restroom facility be constructed outside of the area mapped as red maple swamp.

Feature	Global Rank	State Rank	State Status	Occurrence Rank	Notes
Red Maple Swamp	G3G5	S5	NA	B-Good	Windham LMF Site

This finding is available and appropriate for preparation and review of environmental assessments, but it is not a substitute for on-site surveys.

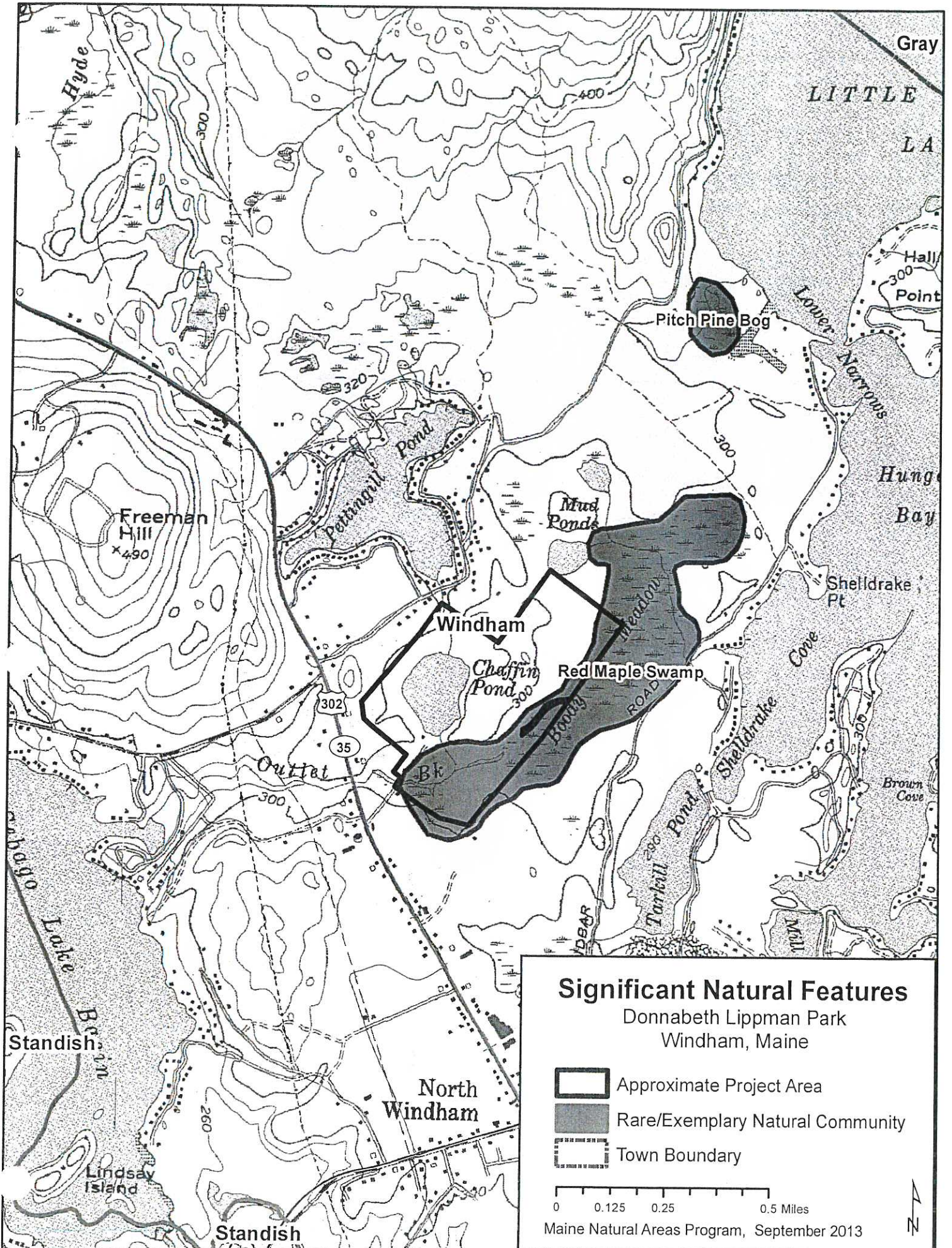
Comprehensive field surveys do not exist for all natural areas in Maine, and in the absence of a specific field investigation, the Maine Natural Areas Program cannot provide a definitive statement on the presence or absence of unusual natural features at this site. You may want to have the site inventoried by a qualified field biologist to ensure that no undocumented rare features are inadvertently harmed.

The Natural Areas Program is continuously working to achieve a more comprehensive database of exemplary natural features in Maine. We welcome the contribution of any information collected if a site survey is performed.

Thank you for using the Natural Areas Program in the environmental review process. Please do not hesitate to contact our office if you have further questions about the Natural Areas Program or about rare or unique botanical features on this site.

---





Gray

LITTLE

LA

Hally

Point

Pitch Pine Bog

Lower Narrows

Hung  
Bay

Freeman Hill  
x490

Pettingill Pond

Mud Ponds

Windham

Chaffin Pond

Red Maple Swamp

302

35

Outlet

Bk

Booby

Road

Shell Drake  
Cove

Brown  
Cove

Cabago Lake

Standish

Brown

North  
Windham

Lindsay  
Island

Standish



**Maine Conservation Corps**  
124 State House Station, Augusta, ME 04333-0124  
Ph: (207) 624-6085 Fax: (207) 287-3342  
Ph: (in Maine only) (800) 245-5627  
e-mail: [corps.conservation@maine.gov](mailto:corps.conservation@maine.gov)



November 13, 2013

Mick Rogers, Supervisor  
Community Grants and Recreation  
Department of Agriculture, Conservation and Forestry  
124 State House Station  
Augusta, ME 04333-0124

Dear Mick,

I am writing in support of the Town of Windham, Department of Parks and Recreation for their Recreational Trails Program application for the Lippman Park project, which provides an outdoor refuge amongst a highly populated area.

The Town of Windham is proposing multiple upgrades to an existing trail system, including a boardwalk, two bridges and the addition of a new segment of trail. The improvements will expand user safety and access, while minimizing impact on sensitive ecosystems.

The Maine Conservation Corps looks forward to partnering with the Town of Windham and is prepared to commit a six-person team for up to four weeks on the Lippman Park project in the 2014 season.

Sincerely,

A handwritten signature in black ink, appearing to read "Sara Knowles".

Sara Knowles  
Field Team Program Coordinator  
Maine Conservation Corps

## Lippman Park - Windham Parks and Recreation

### Boardwalk - 256' in length, 4' width

<u>Materials</u>	<u>Quantity</u>	<u>Cost</u>
Pipe Bracket	66	\$1,650.00
2" schedule 40 galv. pipe - 21' sections	33	\$3,465.00
2"x6"x6' cedar ledger**	33	\$247.50
2"x6"x10' cedar stringer**	128	\$1,600.00
2"x6"x12' cedar decking	170	\$2,550.00
2"x2"x8' cedar rails	80	\$704.00
3 1/4" pneumatic framing nails (4,000 ct)	1	\$104.00
self-adhered underlayment	1	\$160.00

\*\* Can sub PT for boardwalk framing; cedar should be used for decking and rails

### Bridge - 18' in length, 4' width

<u>Materials</u>	<u>Quantity</u>	<u>Cost</u>
6"x6"x12' PT - sills	1	\$38.00
2"x10"x18' PT - stringers	4	\$165.00
2"x10"x8' PT - end caps/framing	2	\$36.80
2"x6"x12' cedar decking	12	\$180.00
2"x2"x12' cedar rails	4	\$52.80
3.5"x3/4" steel corner brace	4	\$26.00

### Bridge - 22' in length, 4' width

6"x6"x12' PT - sills	1	\$38.00
2"x12"x22' PT - stringers	4	\$220.00
2"x12"x8' PT - end caps/framing	2	\$40.00
2"x6"x12' cedar decking	14	\$210.00
2"x2"x12' cedar rails	4	\$52.80
3.5"x3/4" steel corner brace	4	\$26.00

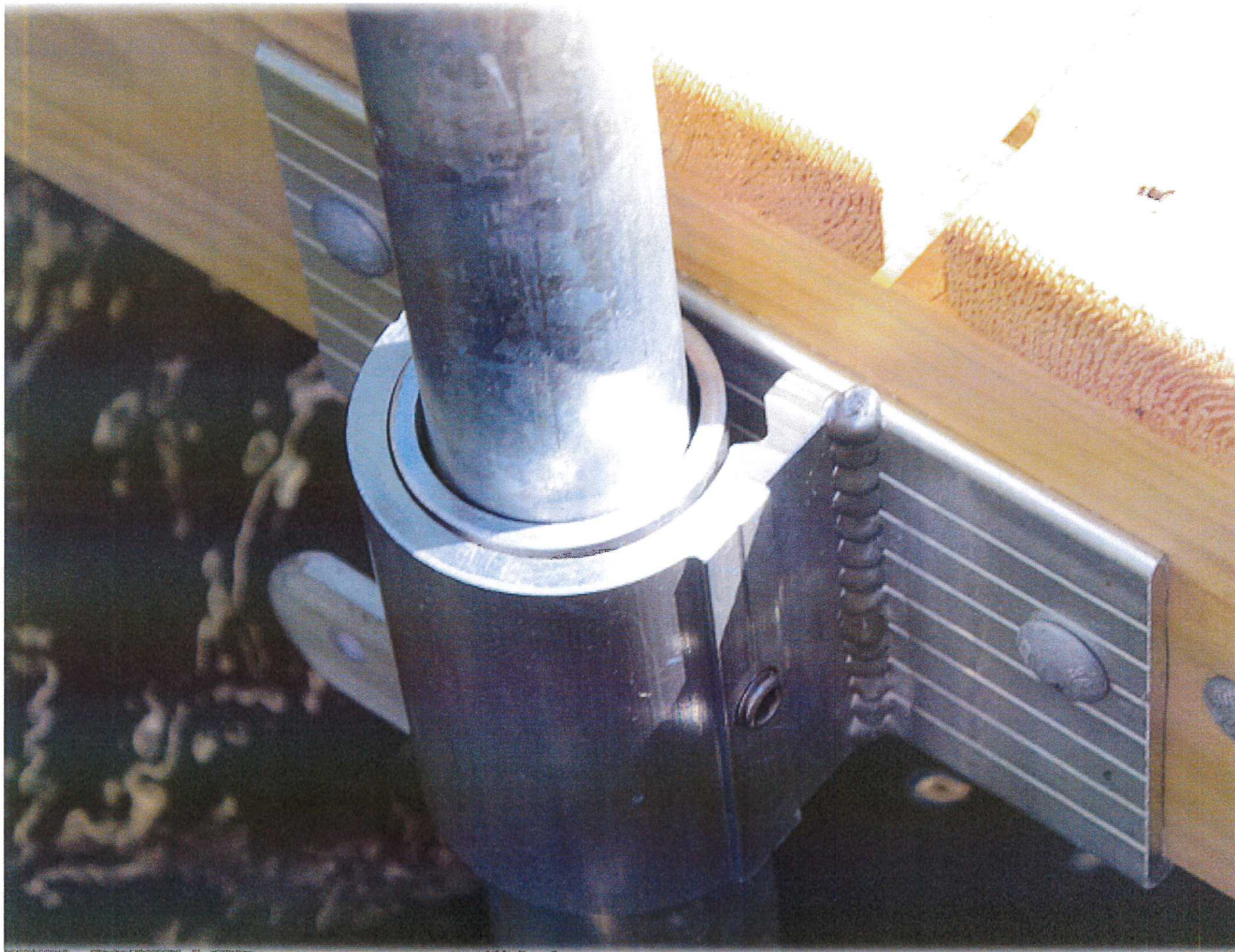
Bridge approaches to be determined = misc. costs \$300.00

4 weeks of a 6-person MCC Team @ \$3,750/week \$15,000.00

**Total Labor and Material Cost \$26,865.90**







T2054R

2011-18-23

Recorded On: Mar 07, 2011 02:50:26P  
Transfer Tax of .00  
State of Maine Transfer Tax  
Cumberland County  
Doc #: 12955



RETDD

MAINE REVENUE SERVICES  
REAL ESTATE TRANSFER TAX  
DECLARATION

TITLE 36, M.R.S.A. SECTIONS 4641-4641N  
PLEASE TYPE OR PRINT CLEARLY

1. COUNTY <b>CUMBERLAND</b>		DO NOT USE RED INK!		Bk: 28567	Pg: 297
2. MUNICIPALITY/TOWNSHIP <b>WINDHAM</b>		BOOK#			
3. GRANTEE/ PURCHASER	3a) Name (LAST, FIRST, MI) <b>TOWN OF WINDHAM</b>		[REDACTED]		
	3b) Name (LAST, FIRST, MI)		[REDACTED]		
	3c) Mailing Address <b>8, SCHOOL ROAD</b>				
	3d) City <b>WINDHAM</b>		3e) State <b>ME</b>	3f) Zip Code <b>04062</b>	
4. GRANTOR/ SELLER	4a) Name (LAST, FIRST, MI) <b>PORTLAND WATER DISTRICT</b>		4b) SS <b>01</b>		
	4c) Name (LAST, FIRST, MI)		4d) SS		
	4e) Mailing Address <b>225 DOUGLASS STREET</b>				
	4f) City <b>PORTLAND</b>		4g) State <b>ME</b>	4h) Zip Code <b>04104</b>	
5. PROPERTY	5a) Map <b>18</b> Block	5b) Lot <b>23</b> Sub-Lot	Check any that apply:		5c) Type of property—Enter the code number that best describes the property being sold (See instructions)
	5d) Physical Location <b>18 CHAFFIN POND ROAD</b>		<input type="checkbox"/> No tax maps exist <input type="checkbox"/> Multiple parcels <input type="checkbox"/> Portion of parcel		5e) Acreage
6. TRANSFER TAX	6a) Purchase Price (If the transfer is a gift, enter "0") <b>385500.00</b>		6a \$		
	6b) Fair Market Value (enter a value only if you entered "0" in 6a) or if 6a) was of nominal value) <b>00</b>		6b \$		
	6c) Exemption claim - <input checked="" type="checkbox"/> Check the box if either grantor or grantee is claiming exemption from transfer tax and explain Pursuant to Title 36 Section 4641-C(1), conveyance between a State of Maine quasi-municipal corporation and State of Maine municipal corporation.				
7. DATE OF TRANSFER (MM-DD-YYYY)	<b>03 04 2011</b>		8. WARNING TO BUYER—If the property is classified as Farmland, Open Space or Tree Growth, a Substantial financial penalty could be triggered by development, subdivision, partition or change in use. <input type="checkbox"/> CLASSIFIED		
9. SPECIAL CIRCUMSTANCES—Were there any special circumstances in the transfer which suggest that the price paid was either more or less than its fair market value? If yes, check the box and explain:		10. INCOME TAX WITHHELD—Buyer(s) not required to withhold Maine income tax because: <input checked="" type="checkbox"/> Seller has qualified as a Maine resident <input type="checkbox"/> A waiver has been received from the State Tax Assessor <input type="checkbox"/> Consideration for the property is less than \$50,000			
11. OATH	Aware of penalties as set forth by Title 36 §4641-K, we hereby swear or affirm that we have each examined this return and to the best of our knowledge and belief it is true, correct, and complete. Grantee(s) and Grantor(s) or their authorized agent(s) are required to sign below: Grantee <u>Town of Windham</u> Date <u>3/4/11</u> Grantor <u>Donald Hill</u> Date <u>3/4/2011</u> Grantee <u>[Signature]</u> Date <u>3/4/11</u> Grantor _____ Date _____				
12. PREPARER	Name of Preparer <b>Jensen Baird Gardner &amp; Henry</b>		Phone Number <b>(207) 775-7271</b>		
	Mailing Address <b>P.O. Box 4510 Portland, ME 04112</b>		E-Mail Address		

<http://www.maine.gov/revenue/propertytax/transfer/transferform.htm>

002114008644

**QUITCLAIM DEED**  
**(with covenants)**

**KNOW ALL PERSONS BY THESE PRESENTS**, that the **Portland Water District**, a quasi- municipal corporation organized and existing under the laws of the State of Maine, with a mailing address of 225 Douglass Street, Portland, Maine 04104-3553 in consideration of one dollar (\$1.00) and other valuable consideration paid by the Town of Windham, with a place of business at 8 School Road, Windham, Maine, the receipt whereof is hereby acknowledged, does hereby remise, release, bargain, sell and convey and forever quitclaim with quitclaim covenants, to the said Town of Windham, its successors and assigns, a certain lot or parcel of land described in Schedule A, attached hereto and incorporated herein by reference.

**IN WITNESS WHEREOF**, the said Portland Water District has hereunto caused this instrument to be signed by Ronald Miller, its duly authorized General Manager, this 15<sup>th</sup> day of March, 2011.

PORTLAND WATER DISTRICT

Donna M. Katsafian  
Witness

By: Ronald Miller  
Ronald Miller  
General Manager

STATE OF MAINE  
CUMBERLAND, ss.

March 15, 2011

Personally appeared the above-named Ronald Miller in his capacity as the General Manager of the Portland Water District, and acknowledged the foregoing instrument to be his free act and deed and the free act and deed of the Portland Water District.

Before me,

Donna M. Katsafian  
Notary Public/Attorney at Law

Donna M. Katsafian  
Printed Name



## Chapter III: Outdoor Recreation Demand in Maine.



### Chapter Contents:

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A. National Patterns of Outdoor Recreation Participation	pg. 2
B. New England Trends	pg. 3
C. Maine's Non-resident Recreating Public	pg. 3
D. Maine Outdoor Recreation Participation	pg. 7
E. Recreation Trends- Visitation, Registration, and License Data	
US National Park Service	pg. 11
State and Other Non-Federal Parks and Lands in Maine	pg. 12
Hunting & Fishing - License Trends	pg. 15
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Exhibit III - A: Maine, New England, and National Outdoor Recreation Participation Figures by Activity Type.	pg. 23
Exhibit III-B: Hunting & Fishing License Sales Figures 1995-2008	pg. 29
Other:	
Box III-A: In Focus - Snowmobilers	pg. 18
Box III-B: State and National Perspectives on Off-highway Vehicle Recreation	pg. 20
Box III-C: the Case for Trails	pg. 21
Box III-D: In Focus- Mountain Bikers	pg. 21

### Key Understandings

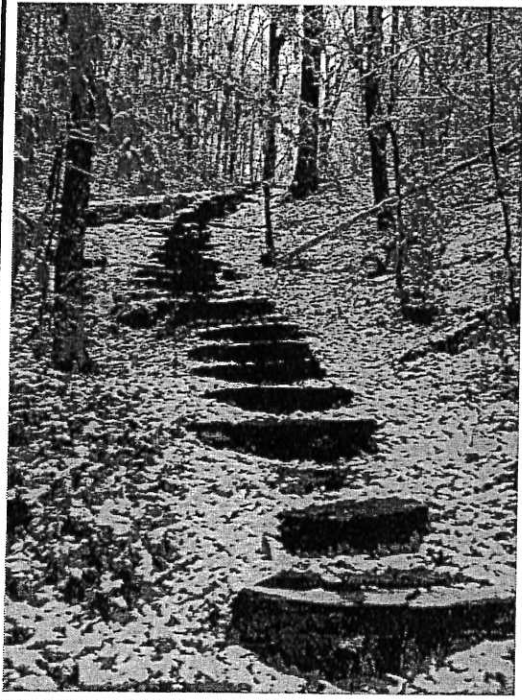
Maine residents participate in outdoor recreation activities at an overall higher rate than both national and regional averages. Maine participation rates are especially high in nature-based activities.

Trends in outdoor recreation, identified through surveys, licenses, entrance figures, and other means show fluctuations across time and trends varying by type of activity and individual resources. While some sites and activities show declines in demand, outdoor recreation appears to continue to be a highly sought out Maine experience/ lifestyle.

Participation in outdoor recreation activities (and demand for activities) is not one-size-fits-all. Age, place of residence, income, education, and a number of other factors influence participation in specific activities.

Maine has a relatively high proportion of non-resident participation in outdoor recreation activities. Maine State Parks, for example, report approximately 40% non-resident camper registrations. This high level of non-resident outdoor recreation has important recreation planning and economic implications.

### The Case for Trails



According to NSRE data:

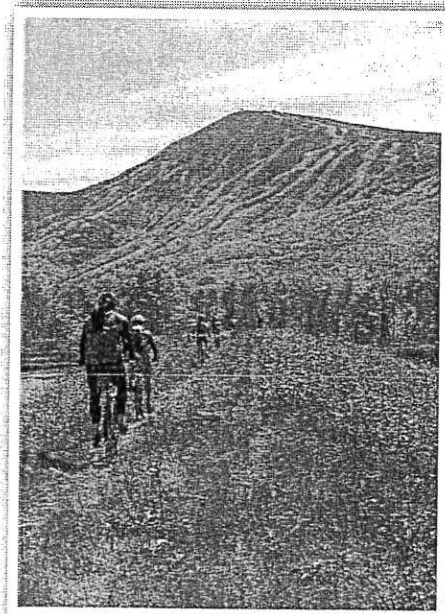
- ◆ 87.6% of Mainers walk for pleasure
- ◆ 27.7% run or jog
- ◆ 41.3% hike
- ◆ 38.2% bike
- ◆ 14.4% cross-country ski
- ◆ 16.7% snowshoe
- ◆ 28.7% snowmobile
- ◆ 26.7% drive off road.

The same data shows day hiking, driving off-road, backpacking, horseback riding, snowmobiling, cross-country skiing, and walking for pleasure as significantly growing activities (1995 vs. 2009). Perhaps it should not be surprising, then, that trails are viewed as an economic asset. *Trails are now viewed as the number one amenity influencing home-buyers over the age of 55 (Morton and Lindahl, 2008).*

### In Focus: Mountain Bikers

27% of the Maine NSRE sample responded that they participate in mountain biking, leading to an estimate of 298,000 mountain bikers. Maine mountain bikers are 55.7 % male, are almost entirely white (caucasian), trend towards the middle of income scales, and are just as likely to live in metro (more urban) counties as non-metro (more rural) counties. Over 40 % of participants are under the age of 34. Mountain bikers have a diversity of educational attainment. At the time of this report, Maine has 3 local chapters of the New England Mt. Bike Association (Mt. Agamenticus Chapter in southern Maine, Central Maine Chapter in the greater Augusta area, and the Midcoast Chapter in the Camden region).

[Right]: Mountain bikers peddle towards Sugarloaf Mt., Maine's highest ski peak. (Photo Courtesy Ellen Wells).



**Introduction**

Participation in outdoor recreation, including both recent levels and trends across time, can be measured with a number of tools. In this report, participation is analyzed based on surveys, entrance figures, estimated visitor use data, registration figures (for power boats, snowmobiles, and ATVs), and license data. The combination of data is intended to provide a well-rounded view of outdoor recreation demand in Maine.

Furthermore, Maine is an outdoor recreation destination for the greater New England/Northeast region as well. Therefore, recreation trends across New England are very significant to understanding outdoor recreation demand in Maine. Given that campground reservations in Maine State Parks average around 40% non-resident campers and that other entities such as Baxter State Park (43% non-resident visitation in 2008<sup>1</sup>) and North Maine Woods (30% non-resident use from 1993-2006<sup>2</sup>) experience high levels of non-resident visitation, it is important that recreation planning reflect this reality.

Source Notes: One major source of outdoor recreation participation used in this report is the Maine and Maine Market Region report (2009). This report uses survey data obtained as part of the National Survey on Recreation and the Environment, a national random telephone survey effort maintained by the US Forest Service. More detail on the survey can be found in Exhibit III C on page 23.

<sup>1</sup> Baxter State Park Annual Report 2008

<sup>2</sup> Governor’s Task Force Regarding the Management of Public Lands and Publicly -Held Easements, (2008)

Table 1: Most Popular and Fastest Growing Outdoor Recreation Activities in the U.S.	
National Survey on Recreation and the Environment (2008)	Outdoor Industry Foundation - Outdoor Recreation Participation Study (2006)
<b>Top 10 Activities - US Participants (millions)</b> 1. Walk for Pleasure (199.318) 2. Family gathering (176.001) 3. Gardening or landscaping for pleasure (157.965) 4. View or photograph natural scenery (150.060) 5. Visit nature centers, etc. (131.111) 6. Attend outdoor sports events (123.666) 7. View/photograph flowers & trees (121.943) 8. Sightseeing (121.099) 9. Picnicking (120.796) 10. Driving for pleasure (118.199)	<b>Top 10 Activities - Total Number of Outings (Millions)</b> 1. Bicycling (3,123) 2. Trail running (1,333) 3. Fishing (1,082) 4. Hiking (844) 5. Camping (347) 6. Paddlesports (canoe, raft, kayak (191) 7. Bird Watching (188) 8. Backpacking (81) 9. Climbing (any type, with harness) (51) 10. Cross-Country/Nordic Skiing (50)
<b>Top 10 Fastest Growing Activities - % Change in Total Days (1999-2008)</b> 1. Visit farm or agric. setting (+100.2%) 2. View/photograph flowers & trees (+77.8%) 3. View/photograph natural scenery (+60.5%) 4. Driving off-road (+56.1%) 5. View/photograph other wildlife (+46.9%) 6. View/photograph birds (+37.6%) 7. Kayaking (+29.4%) 8. Visiting water (other than beach) (+28.1%) 9. Backpacking (+24.0%) 10. Snowboarding (+23.9%)	<b>Rank Order (by Growth) of Activities - 1998 through 2005</b> 1. Telemark skiing (160.5%) 2. Snowshoeing (83.4%) 3. Trail running (22.1%) 4. Canoeing* (8.5%) 5. X-country skiing (6.6%) 6. Rafting* (3.1%) 7. Hiking (-0.1%) 8. Bicycling (single-track dirt) (-1.4) 9. Camping (any type) (-3.6%) 10. Bicycling (any type) (-5.7%) *Kayaking was not measured in 1998.
<b>Note: OIF surveys do not measure an identical set of activities compared to the NSRE survey. In general, OIF surveys track only the more physically active activities.</b>	

# 2013-Bird SPECIES Logged at UDL Park

Row #	Species	Count	Location	S/P	Date	LocID
1	Canada Goose	4	Donnabeth	US-ME	25-Apr-13	L2096202
2	Wood Duck	4	Donnabeth	US-ME	18-Apr-13	L2096202
3	Mallard	2	Donnabeth	US-ME	3-Apr-13	L2096202
4	Green-winged Teal	2	Donnabeth	US-ME	3-Apr-13	L2096202
5	Ring-necked Duck	2	Donnabeth	US-ME	7-May-13	L2096202
6	Bufflehead	8	Donnabeth	US-ME	8-Apr-13	L2096202
7	Wild Turkey	2	Donnabeth	US-ME	16-Sep-13	L2096202
8	Double-crested Cormorant	1	Donnabeth	US-ME	10-Apr-13	L2096202
9	Great Blue Heron	1	Donnabeth	US-ME	2-May-13	L2096202
10	Turkey Vulture	1	Donnabeth	US-ME	#####	L2096202
11	Cooper's Hawk	1	Donnabeth	US-ME	10-Apr-13	L2096202
12	Broad-winged Hawk	1	Donnabeth	US-ME	17-Apr-13	L2096202
13	Ring-billed Gull	1	Donnabeth	US-ME	25-Apr-13	L2096202
14	Mourning Dove	1	Donnabeth	US-ME	22-Jul-13	L2096202
15	Chimney Swift	1	Donnabeth	US-ME	#####	L2096202
16	Belted Kingfisher	1	Donnabeth	US-ME	2-Oct-13	L2096202
17	Downy Woodpecker	2	Donnabeth	US-ME	2-May-13	L2096202
18	Hairy Woodpecker	1	Donnabeth	US-ME	#####	L2096202
19	Northern Flicker	1	Donnabeth	US-ME	27-Aug-13	L2096202
20	Pileated Woodpecker	1	Donnabeth	US-ME	10-Apr-13	L2096202
21	Eastern Wood-Pewee	1	Donnabeth	US-ME	27-Jun-13	L2096202
22	Eastern Phoebe	1	Donnabeth	US-ME	8-Apr-13	L2096202
23	Great Crested Flycatcher	1	Donnabeth	US-ME	#####	L2096202
24	Eastern Kingbird	3	Donnabeth	US-ME	#####	L2096202
25	Blue-headed Vireo	1	Donnabeth	US-ME	2-May-13	L2096202
26	Red-eyed Vireo	2	Donnabeth	US-ME	#####	L2096202
27	Blue Jay	1	Donnabeth	US-ME	10-Apr-13	L2096202
28	American Crow	4	Donnabeth	US-ME	10-Apr-13	L2096202
29	Tree Swallow	4	Donnabeth	US-ME	1-May-13	L2096202
30	Barn Swallow	2	Donnabeth	US-ME	#####	L2096202
31	Black-capped Chickadee	4	Donnabeth	US-ME	3-Apr-13	L2096202
32	Tufted Titmouse	4	Donnabeth	US-ME	3-Apr-13	L2096202
33	Red-breasted Nuthatch	1	Donnabeth	US-ME	10-Apr-13	L2096202
34	White-breasted Nuthatch	1	Donnabeth	US-ME	8-Apr-13	L2096202
35	Brown Creeper	1	Donnabeth	US-ME	17-Apr-13	L2096202
36	Golden-crowned Kinglet	2	Donnabeth	US-ME	8-Apr-13	L2096202
37	Ruby-crowned Kinglet	2	Donnabeth	US-ME	17-Apr-13	L2096202
38	Veery	1	Donnabeth	US-ME	#####	L2096202
39	Hermit Thrush	2	Donnabeth	US-ME	1-May-13	L2096202
40	American Robin	1	Donnabeth	US-ME	1-May-13	L2096202
41	Gray Catbird	1	Donnabeth	US-ME	#####	L2096202
42	Cedar Waxwing	6	Donnabeth	US-ME	8-Apr-13	L2096202
43	Ovenbird	2	Donnabeth	US-ME	#####	L2096202
44	Black-and-white Warbler	1	Donnabeth	US-ME	#####	L2096202
45	Common Yellowthroat	3	Donnabeth	US-ME	#####	L2096202
46	American Redstart	1	Donnabeth	US-ME	#####	L2096202

47 Magnolia Warbler	1 Donnabeth US-ME	27-Aug-13 L2096202
48 Yellow Warbler	1 Donnabeth US-ME	##### L2096202
49 Black-throated Blue Warbler	2 Donnabeth US-ME	##### L2096202
50 Palm Warbler	4 Donnabeth US-ME	10-Apr-13 L2096202
51 Pine Warbler	2 Donnabeth US-ME	17-Apr-13 L2096202
52 Yellow-rumped Warbler	2 Donnabeth US-ME	18-Apr-13 L2096202
53 Black-throated Green Warbler	1 Donnabeth US-ME	27-Aug-13 L2096202
54 Chipping Sparrow	1 Donnabeth US-ME	27-Jun-13 L2096202
55 Song Sparrow	2 Donnabeth US-ME	8-Apr-13 L2096202
56 Swamp Sparrow	2 Donnabeth US-ME	25-Apr-13 L2096202
57 White-throated Sparrow	1 Donnabeth US-ME	7-May-13 L2096202
58 Dark-eyed Junco	2 Donnabeth US-ME	18-Apr-13 L2096202
59 Scarlet Tanager	2 Donnabeth US-ME	27-Jun-13 L2096202
60 Northern Cardinal	2 Donnabeth US-ME	8-Apr-13 L2096202
61 Red-winged Blackbird	1 Donnabeth US-ME	10-Apr-13 L2096202
62 Rusty Blackbird	2 Donnabeth US-ME	29-Apr-13 L2096202
63 Brown-headed Cowbird	2 Donnabeth US-ME	2-May-13 L2096202
64 American Goldfinch	1 Donnabeth US-ME	29-Apr-13 L2096202

# Donnabeth Lippman Park Windham, Maine



Pettingill Pond

Upper Mud Pond  
Deer Hollow Preserve

Lower Mud Pond

Chaffin Pond

Donnabeth Lippman Park

Little Sebago Lake

Tarkill Pond

Little Sebago Lake

Mill Pond

Collins Pond

302

115

35



### Map Properties

- Street
- Stream
- Preserve

Sources:  
Maine Office of GIS  
Portland Water District  
Windham Parks & Recreation  
Prepared by: Elisa Trepanier  
October 31, 2013

# Donnabeth Lippman Park & Deer Hollow Preserve Windham, Maine



**Legend**

- Trail
- Contours
- Wetland
- Park Boundary



Sources:  
Maine Office of GIS  
Windham Parks & Recreation  
November 4, 2013

**Allowed Uses:**  
Walking, jogging, bicycling, cross-country skiing, snowshoeing.

**Not Allowed on Trail:**  
All Terrain Vehicles (ATV's) or any motorized vehicle (except for trail maintenance or emergencies).



# Windham Economic Development Corporation

---

*Promoting Sound Economic Investment in Windham*

November 6, 2013

Grant Administrator  
Recreational Trail Grant Program  
State of Maine Division of Parks and Public Lands

Dear Grants Administrator:

The Windham Economic Development Corporation supports the efforts of the Town of Windham Parks and Recreation Department in their work to develop the Donnabeth Lippman Park. The new and renovated trail system in this 123 acre park will be a tremendous asset to the Town, its business district, and the Sebago Lakes Region as a whole.

The Windham Economic Development Corporation recognized the valuable asset that a fully developed Donnabeth Lippman Park would be to the community by expressing its desires in the Town of Windham's Economic Development Strategic Plan: "Define and create a true sense of place in North Windham... Implement a pedestrian and bikeway system that connects to the new Donnabeth Lippman Park."

The Windham Economic Development Corporation strongly supports the Town of Windham Parks and Recreation Department's grant request for the completion of the trail system in the Donnabeth Lippman Park. We believe that the Park will become a "jewel" situated adjacent to Windham's downtown and a nice respite for residents, employees, and visitors alike. If you have any questions please feel free to contact me.

Sincerely,



Thomas Bartell  
Executive Director



October 22, 2013

Grant Administrator  
Division of Parks and Public Lands  
124 State House Station  
Augusta, ME 04333


Dear Grant Administrator

I am very supportive of the Town of Windham's grant proposal for the Recreation Trail Development Grant Program through the Division of Parks and Public Lands. The funding of this proposed project would provide much needed boardwalks for the back side of the property which will make the trail accessible to all along with the creation of a new trail along the South Side of the pond.

I was able to provide the Town of Windham with the necessary funds to purchase the property in 2011. The total cost of the property was \$375,500. I was very happy to make this opportunity available to the Town of Windham and name the park after my wife Donnabeth Lippman. I have also just donated a granite entrance sign off Route 302 which was erected last week at the site.

This funding will assist the Town of Windham in making some necessary improvements to the trails on the property which will benefit all residents of Windham. I am looking forward to working with the Town of Windham to make this a community park for all residents of Windham and surrounding Towns.

Sincerely,



Martin Lippman

**SEBAGO  
LAKES  
REGION**   
**CHAMBER OF COMMERCE**  
*One Region... Limitless Opportunities!*

November 4, 2013

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Julie Arsenault  
*1<sup>st</sup> Vice President*

Al Brown  
*2<sup>nd</sup> Vice President*

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*Treasurer*

LeeAnn Sanborn  
*Secretary*

Lawrence R. Sawyer  
*Corporate Clerk*

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Ann Marie Swenson

Karen Thompson

**EXECUTIVE**

**DIRECTOR**

Aimee Senatore

Grant Administrator  
Windham Parks & Recreation Department  
8 School Road  
Windham, ME 04062

Dear Grant Administrator;

I am writing today to state my enthusiastic support of the **Donnabeth Lippman Park** grant proposal being submitted by the Windham Parks & Recreation Department.

The Sebago Lakes Region Chamber of Commerce works daily to foster and sustain economic growth and prosperity within the business sector. The greater outcome of this effort is to enhance the communities that we represent to make the Sebago Lakes Region a *top destination to live, work and play.*

The **Donnabeth Lippman Park** project is an opportunity to further enhance not only the town of Windham, but the Sebago Lakes Region as a whole. The master plan for the park is comprehensive in its offerings and will provide a fabulous asset for local residents and visiting tourists alike.

The addition of this park and the opportunities it will provide for physical fitness and outdoor recreation are very exciting. Although some might consider our region as a summertime destination – this park will help showcase the opportunities throughout all four seasons. Providing a maintained park for cross country skiing and showshoeing adds tremendous value.

On behalf of our Board of Directors and the nearly 300 businesses we represent throughout the Sebago Lakes Region, I thank you for considering the grant proposal and urge you to support this important project.

Kind Regards,



Aimee G. Senatore  
Executive Director  
Sebago Lakes Region Chamber of Commerce



October 30, 2013

Dear Grant Administrator:

On behalf of the Communities Promoting Health Coalition (CPHC) at The Opportunity Alliance, I am pleased to offer our support for the Windham Parks and Recreation Department's application for funding through the State of Maine Division of Parks and Public Lands Recreational Trail Grant Program. The proposed improvements to Donnabeth Lippman Park (formally known as the Chaffin Pond Preserve) will increase access to this valued natural space by a broad range of community members. The addition of boardwalks, a new trail along the pond, a public restroom facility, benches and a handicapped path to the pond area will provide greater accessibility for families with young children, older adults and residents with disabilities.

As a public health program serving 14 towns in Cumberland County, CPHC works to put healthy choices within reach of all members of the community. When more people have safe place to be physically active, our community will have lower rates of obesity, chronic diseases and depression – meaning a better quality of life and lower healthcare costs for all. Increasing access to physical activity among vulnerable populations is especially important, since they are more likely to experience poor health than the general population. We believe that this project will address access issues, and in doing so, improve the park for all who use it. In our work with Windham residents to form an Active Community Environment Team (ACET) – Windham Active Lifestyles Coalition – we have seen how residents value their town's rural character and believe amenities like Lippmann Park are critical to Windham's sense of place.

CPHC has had the privilege to partner with Windham Parks and Recreation Director Brian Ross for many years. We have witnessed his commitment to growing Windham's open spaces and collaborating to make physical activity attainable by more people. We have confidence in his ability to make the most of a Recreational Trail Program Grant.

Sincerely,

Zoe Miller  
Healthy Lakes Region Program Manager  
Communities Promoting Health Coalition  
The Opportunity Alliance

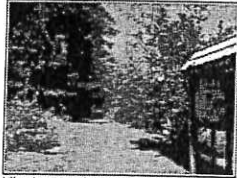




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## Donnabeth Lipman Park



Kiosk near the trailhead on the southern side of Chaffin Pond. Photo courtesy: Windham Parks and Recreation

The Donnabeth Lippman Park formerly known as the Chaffin Pond Preserve is a 123 acre wooded area in northern part of Windham. There is a 10 acre pond of the property that is a great fishing hole for all ages.

### Quick Facts

Activity	
Town	Windham
Difficulty	Easy
Length	1.5 miles, Loop
Surface	Dirt/Forest Floor, Groomed Snow, Packed Snow
Pets	Permitted
Fees	
Other Activities	None

### Current Weather

October 21, 2013  
 Wind: From the South at 9 MPH  
 Humidity: 55%  
 Dew Point: 44°F  
 Source: Weather  
**60°F**

Underground 5-Day Forecast

### Nearby Geocaches



Check for nearby geocaches to Donnabeth Lipman Park.



Give today and help Maine Trail Finder make new trails available to you.

Connect on Facebook



[MAP](#) [SATELLITE](#) [HYBRID](#) [TERRAIN](#)

[Printer Friendly Version](#)

[Share](#)

### Trailhead

Heading North on US Route 302 in Windham, travel 0.6 miles from the intersection of US Route 302 and ME Route 35. Look for a dirt road on the right just before the Sherwin Williams paint store. There is a small white and green road sign that says Chaffin Pond Preserve Road. Parking is available off road within view of US Route 302.

### Description

The Donnabeth Lippman Park offers easy walking on packed earth through wooded areas and around the edge of Chaffin Pond. The park's main trail loops around Chaffin Pond, but there are also trails on the east side of the pond that leave and connect back to the main loop. A trail extension on the north side of Chaffin Pond leads to Mud Ponds. These trails on the back side of the pond can be very wet during the spring season; however, these trails are an easy family hike that is in a great natural setting. Picnic tables and benches near the trailhead make this a great place for a picnic.

### Trail Manager

Visit [Windham Parks and Recreation](#) online for more information and a printable map, or contact:

Windham Parks and Recreation  
 8 School Road,  
 Windham, ME 04062  
 Phone: (207) 892-1905  
[blross@town.windham.me.us](mailto:blross@town.windham.me.us)

### Photos

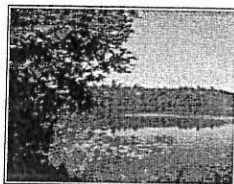


Photo courtesy: Windham Parks and Recreation

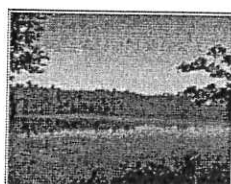


Photo courtesy: Windham Parks and Recreation

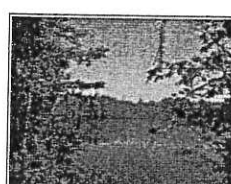


Photo courtesy: Windham Parks and Recreation

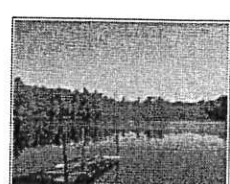


Photo courtesy: Windham Parks and Recreation



## Portland Water District

FROM SEBAGO LAKE TO CASCO BAY

### **Chaffin Pond: A Jewel in the Impervious Rough**

A serene spot, a phenomenal view, an abundant fishing locale, a valuable aquifer. Bear tracks, deer scat, and a monstrous Wolf pine. One hundred and twenty three acres to play, learn, and explore. Does this location sound familiar?

Chaffin Pond, located in North Windham behind the Sherwin Williams paint store on Route 302, offers the public an array of opportunities. Conveniently nestled in the heart of North Windham's busy, paved commercial area, Chaffin Pond is surprisingly untouched by development. Little evidence of human intrusion on the area exists, limited to some trails and vacant Portland Water District pump buildings.

In the 1930s, the North Windham area grew quickly as did the need for a public water supply. The Portland Water District explored possible water sources, finally utilizing the groundwater beneath and adjacent to Chaffin Pond. Two wells were drilled and remained operable until the 1990s. In 1998, MtBE and PCE contamination threatened the two wells that supplied water to 3,000 people in Windham. In response, the Portland Water District connected North Windham to the Sebago Lake system and decommissioned the wells at Chaffin Pond.

Recent activity at the Chaffin Pond area since the closure of the wells is due to an agreement between the Town of Windham and the Portland Water District, whereby the Town is leasing the land from PWD. In partnership, the Town and PWD have worked to open the property for public access. A parking lot for ten cars is located at the entrance gate, signage is being prepared, and even a fishing dock is planned. The land may be used for low intensity recreation and educational purposes by individuals and groups affiliated with either the town or the District.

Both recreational and educational possibilities abound in this oasis. Although activities such as ATV riding and hunting will not be permitted, others such as hiking, fishing, and wildlife watching are exceptional. The Chaffin Pond parcel also provides unique educational opportunities, presenting a typical Maine pond and many different ecological communities to investigate.

Students are already taking advantage of the prospects. In the fall of 2004, Portland Water District hosted a group of 7<sup>th</sup> to 12<sup>th</sup> grade students from Windham Christian Academy for an afternoon at Chaffin Pond. Students participated in water quality testing, yielding data for dissolved oxygen, pH, temperature and turbidity - and results were later reported online in a global water quality monitoring effort called World Water Monitoring Day. An underwater camera exploration on the shores of Chaffin Pond provided a "fish-eye" view of bass and aquatic vegetation, among other things. Students also participated in a hike around the surrounding land where they explored the ecological makeup of a forested upland community and considered the influence of humans on the area.

Using the Chaffin Pond parcel in a gentle and educational manner encourages effective land and water stewardship. In addition, use of the area fosters partnerships within the community. Students and professors at St. Joseph's College, located in Standish, and the University of Southern Maine,

Order 10-195: To approve a purchase and sales agreement between the town and the Portland Water District for the purchase of the Chaffin Pond property, so called, consisting of approximately 123 acres in North Windham for the total purchase price of \$385,500; such purchase to be funded from the Parks and Recreation Program Fund in the amount of \$297,500, Contingency in the amount of \$75,000, and the Development District-North fund in the amount of \$13,000; and to authorize the town manager to take any necessary action related thereto. (Postponed from October 12, 2010.)

Order 10-195 Materials

**Tony Plante:**

We have a proposal that has come up in the meantime that may help make this appear to be an even greater benefit to the community, and I would ask Councilor Busque and Councilor Hayman if they'd like to say anything before we invite Mr. Noonan up to the podium.

**Councilor Hayman:**

Moves to suspend Council Rules to allow for public comment, seconded by Councilor Busque.

**Ken Cole:**

On the other issue, there was a special meeting last Tuesday, at which time there was public comment. At the close of public comment there was a motion to go into executive session, at which time, shortly there after there was a motion to postpone the matter until this evening; public comment was closed, therefore, the Council did not have to reopen it this evening; there is no requirement when the matter is postponed, you simply take up where it was before the Council, that is simple parliamentary rule. I think the confusion is that most people thought it was a workshop, but it was a Special Council Meeting called at the end.

The same goes for the Chaffin Pond order. My point on either is that when the public comment section of the agenda has closed, and it has gone to the Council, if they postpone it to another meeting, that does not reopen the public comment. It means that the Council has postponed its deliberation to the next meeting.

**Councilor Chapman:**

Mr. Cole, if we are changing how we are going to potentially purchase this, I think the public has a right to have input.

**Vote 5-0 to suspend Council Rules to allow public comment.**

**Bob Muir:**

Are there any easements on the property?

**Tony Plante:**

There is an easement across the property which will be retained by the Portland Water District around a waterline that runs across the property.

**Bob Muir:**

The purchase agreement states that the PWD shall reserve an easement for a waterline, which exists on the property as shown in attachment B. Why would the district maintain an easement if they are selling the property; they may want to use Chaffin Pond as a backup water supply. When the overlay zone was put in years ago it was created to protect the well heads. Was the DEP involved? Where there federal regulations involved and can these provisions be removed in light of easements that the PWD will retain? Will the town be able to accomplish what it wants for the property if these protections have to remain? How would development affect the quality of the water? Also in the purchase agreement number 3 reads: The deed shall convey insurable title to the property free of encumbrances except zoning, environment, subdivision laws, rules, regulations and restrictions and other land use matters. I would ask if the DEP or federal has to be involved with this if you are going to remove those restrictions? Does anybody know what the assessed value of the property was? The assessed value was \$137,600 by our Town Assessor; interesting that it is \$385,000 along with all of these restrictions.

**David Nadeau:**

I'm in agreement with purchasing the property but I believe the value of this property isn't above ground; I believe the value is below ground. With that, I wonder what the water quality is down there? It once was drinkable. If we have the mineral rights with this purchase and sale agreement, do we have the rights to the water below it? If we do, and that water is drinkable, I think we are approaching this wrong; we should be approaching it for what is in the ground and what we can do with that. We gave money to WEDC to buy the land from White's Bridge Road, it's not that I disagree with that, but I don't think the town should be a realtor; they bought that property, they come back to you and they way they can best pay you back is to have the zoning in that area changed and the aquifer protection removed. I think all this stuff ties together. I think the first thing we have to do is if we are buying this piece of property, we have to look at the value of the water in the ground, and I don't believe that is being looked at, especially with the rumors I hear around town about this property. I don't think we are looking at the true value in this property. Our Economic Development Director should be looking at Poland Springs or somebody to pipe the water out to them.

need to use the land, and he is willing to not have any buildings on it; he just wants the density calculations of 10 acres applied to his abutting property.

The other request is that the park be named after his wife, Donna Beth Lippman. This is not the first time Mr. Lippman has donated a park; he did one in Ellenville, NY and it took him 10 years to give it to them, but now other donors have stepped forward and they have created a very nice park and they call it the jewel of the community. We feel this could also be a jewel, especially when you look at where the funds are coming from. Mr. Lippman is willing to fund the whole thing, and he does have those two requirements, and he would be ready to do this as soon as the first of the year.

We checked with the Water District prior to coming to the Council, and they informed us at this time, by state statute, they have a period of time to sell it to the municipality, and if the municipality does not act on it within that period of time, it does go out to open bid. We approached them and said "if the town didn't want to buy it, we did", and they said "they couldn't talk to us now; it is solely at the discretion of the town"; however, if the town passes or does not act within the period of time, then it goes out to open bid, and we feel that at time the value will be considerably higher, and we don't know if his offer would be enough acquire the property. His first appointment with his attorney is tomorrow, and he is willing to step forward and write the check on these two conditions.

I think there are a lot of reasons why this would be a benefit to the town. His offer will take the pressure off other areas of funding, and I think it is quite generous of Mr. Lippman to do this. I want to thank the Councilor's who helped; we had to move within a matter of days, and also thank Mr. Cole for his input and the Water District and their attorney for their input.

**Tom Noonan:**

The website to the other park is [www.lippmanpark.org](http://www.lippmanpark.org). Also, if the town does adopt a transfer of development rights, you are fortunate that Mr. Lippman is an abutter, this couldn't happen if he was two lots down the road. If the town does adopt the rights in the future, what has been proposed is to have the town buy the whole thing, deed 10 acres of it to him, but put a lot of restrictions on it so nothing can be built there, and he is willing to deed that back to the town if there is a mechanism for the transfer of development rights. All he really wants is to name it after his wife and give him 10 acres of density calculations for his abutting property. He doesn't have to own it, but the way the regulations and laws are that is the way we have to do it.

**Councilor Noel:**

Can someone explain what the land density calculations specifically means; why do you need the 10 acres for land density calculations?

**David Nadeau:**

I can't really help you with it because the piece of property that I believe he owns, the Dexter Shoe Building, I believe is C1. It baffles me because I look at this and it is on 302, this area of 302 is C1, and C1 does not look at density count. In C1, once you get your storm water in and septic in you can cover the whole lot.

**Tom Noonan:**

We would like to have the town's attorney meet with his attorney and work things out.

**Councilor Chapman:**

Mr. Noonan, I think it is a wonderful opportunity if it works out this way. I really was hesitant about draining Parks and Rec and everything we've gone through with budget cuts. I think it is commendable for him to do this. You brought up that we do have a period of time now, and so I would like to say we table this for now and get into those discussions.

**Tom Noonan:**

According to the maps I've seen of Mr. Lippman's property they are not in the aquifer protection zones. He is not proposing to develop in the aquifer protection zones. You could be making two decisions; you could defer accepting the offer of Mr. Lippman, and you could also make a decision to forge ahead with the purchase. The real issue is, should the town be buying this, and Mr. Lippman has stepped forward saying he can help under certain conditions. I think it is a win win for everybody. I'd hate to see an opportunity missed. If you can't perform on that contract from the deadline, then it goes to public offering.

**Councilor Hayman:**

Tony, what is our deadline?

**Tony Plante:**

It is on the agenda of the PWD's Board of Trustee's for November 22nd. Following that, if the town does not take action to purchase, they will be going to the Public Utilities, I believe in December or January, at which point they will open the process up.

**Councilor Hayman:**

The last votable meeting will be the 9th, which potentially could have 4 new sitting Councilors. I am all for this purchase. The fact that Mr. Lippman has dropped a nice little nest egg in our lap is a bonus, with or without that I don't think the town can not purchase

Yes, they've also guaranteed they will convey a title that will satisfy the town, that is not the exact wording of the contract, but we don't have a title search in hand yet.

**Councilor Noel:**

The only easement is the water-main easement?

**Tony Plante:**

Yes.

**Councilor Noel:**

There are no well head restrictions; they don't have to maintain access to them for service?

**Tony Plante:**

No, the wells have been taken out of production, and the PWD has no plans to use the Chaffin Pond property for public drinking water supply.

**Councilor Noel:**

I think this is a win win and a great opportunity. There aren't these types of land opportunities in our downtown area very often. I think we buy now and we work with Tom and his client to make this deal a complete and absolute success story for the town.

**Vote 5-0**



# A good sign for Lippman Park

**Park benefactor Martin Lippman donates a sign to the park that was installed last week.**

By Kayla Collins  
kayla@keepmecurrent.com

Just a week after the Windham Town Council awarded a contract for the first phase of improvements to Donnabeth Lippman Park in North Windham, the town had a granite sign installed at the entrance of the park on Route 302.

The town bought the property situated behind Sherwin-Williams in May 2011 for \$400,000 from the Portland Water District after receiving full reimbursement from Martin Lippman, a Standish summer resident and North Windham business owner whose wife, Donnabeth, has since passed away. The new sign was also donated by Lippman.

"I thought it would enhance the area, so people could find [the park] a bit easier," Lippman said

Tuesday. Swenson Granite Works of Westbrook made the sign, and R.J. Grondin & Sons of Gorham installed it last week, he said.

The 123-acre park surrounds Chaffin Pond on Route 302 and was formerly owned by the Portland Water District, which used the pond as a backup water supply. For many years, Town Manager Tony Plante said, the public has had access to trails around the pond for hiking and snowshoeing. Fishing is also popular on the property, he said.

Lippman owns three properties adjacent to Sherwin-Williams, including the former Sebago Gardens building, the former Dexter Shoe building, which is now a hearing aid manufacturing facility and another parcel between the two.

In 2011, the town spent \$385,500 from its parks and recreation department fund to purchase the Chaffin Pond property with the intent to use it as a park. At the time, Lippman signed a memorandum of understanding, with the

town promising to reimburse the full amount to the town.

As part of the deal, Lippman received 10 acres of the 123-acre parcel to accommodate a potential large-scale project on his property (possibly a hotel) that would require a large septic system. While he wouldn't be able to build on the 10 acres, the land would factor into sewer density calculations when planning for a septic system.

On Tuesday, Lippman said though his dream for developing the 8-acre parcel hasn't come to fruition, he still envisions building a nearby motel and restaurants.

"I envision making it like an Italian piazza," or a market square, he said, explaining that the motel would be located to the rear of the property surrounded by shops or restaurants, and in the middle there would be a large water fountain.

"It was the plan, but my wife passed away, and I was sick," Lippman said. "I ran out of energy. I just didn't have the energy to keep things going. For now, it's on hold."



From left, Parks and Recreation Director Brian Ross, stands by the new sign erected at Donnabeth Lippman Park, with Martin Lippman and Town Manager Tony Plante.  
Staff photo by Kayla Collins

On Oct. 8, the Windham council awarded Drew Corp. of Lovell a \$139,137 contract for the initial park improvements, which include widening the access road from Route 302 into the property and improving the parking area.

The work is being paid for with \$50,000 from the town's land and facilities capital improvements account, and the remaining \$89,137 from the parks and recreation's budget surplus. The first phase is expected to be completed by the end of Novem-

ber, said Ross.

The second phase of the improvements include building elevated boardwalks along the wet areas of the trails, picnic pavilions and a playground, he said.

"It's a neat spot," Ross said. "Being in the business district, I am hoping people at lunch time will come down and enjoy the park."

"I'd like to see the park be available for all of the people in the area and people who come from away who want to enjoy Windham," Lippman said.

# Town of Windham

Planning Department  
8 School Road  
Windham, ME 04062

voice 207.892.1902

fax 207.892.1916

September 17, 2013

Brian Ross  
Director, Parks and Recreation Department  
Town of Windham  
8 School Road  
Windham ME 04097

  
Dear ~~Mr.~~ Ross:

I am writing to confirm the Planning Board's approval of the 13-09 Donnabeth Lippman Park Final Site Plan application for the widening of the access road into the park from Route 302 and a new parking area. The project is located on Roosevelt Trail in North Windham, identified on Tax Map 18; Lot 23, Zone: Commercial 1 (C-1), Resource Protection (RP), and Aquifer Protection Overlay Zones A & B (APA & APB).

For your records, the Planning Board voted 5 to 0 to approve the site plan application with conditions, at the special meeting on September 17, 2013. The motion was made by Keith Elder and seconded by John Eddy.

Enclosed, please find the findings of fact and conclusions and conditions of approval.

Sincerely,



Ben Smith, AICP  
Assistant Town Planner

Enclosure: Findings of Fact and Conclusions

Cc: Dustin Roma, P.E., Milone & MacBroom, Inc.  
Planning File

13-09 Donnabeth Lippman Park Access and Parking - Major Site Plan  
Findings of Fact & Conclusions

FINDINGS OF FACT

**Utilization of the Site**

- The 104 acre site is mostly wooded and used for passive recreation activities today. Chaffin Pond is located on the property.
- There are 4 existing buildings that were in use as part of the PWD operations at the site, but are not used today. The buildings are proposed for reuse in future phases of park development.
- There is currently a gravel parking area that can accommodate about 10 vehicles, located about 400 feet from Route 302. Access to the park is by foot through a fenced gate beyond that point.

**Vehicular and Pedestrian Traffic**

- The applicant is proposing to add thirty-two (32) parking spaces as part of Phase 1 of the project, and an additional thirty-six (36) as part of Phase 2. These area for Phase 2 parking will be cleared, graded, and seeded as an open lawn area until there is a demand for additional parking.
- The existing 12-foot wide gravel access drive is proposed to be expanded to 22 feet, except in the vicinity of the existing 36-inch cross culvert.
- The access drive in the vicinity of the existing 36-inch culvert is proposed to be left at the existing 12-foot width. A replacement structure for the existing culvert is being discussed with DEP and the Army Corps of Engineers, and they would need to approve any potential change. See the suggested wording for a Condition of Approval #2 below.
- The existing gate is to be replaced with an electronic gate that will control vehicular access to the park. A pedestrian gate in the fence will be retained as part of the new design. Note that the gate detail shown on Sheet 8 should match the electronic gate shown on Sheet 3.

**Sewage Disposal and Groundwater Impacts**

- The site is currently served by a portable toilet located at the parking area.
- The applicant should consider relocating the portable toilet to the proposed parking area prior to the installation of permanent toilet facilities.
- The proposed changes should not have a significant impact on the quantity or quality of area groundwater.

**Stormwater Management**

- The project has received a Maine DEP permit by rule for the widening of the road and the Phase 1 parking area on August 30, 2013. Permit by Rule #56659.

- A replacement structure for the existing culvert must receive approvals from Maine DEP and the Army Corps of Engineers. See the suggested wording for a Condition of Approval #2 below.

### **Erosion Control**

- A soil erosion and sediment control plan has been submitted with the final plan set. Notes and details are included on Sheet 7. Silt fencing and erosion control mix locations have been designated on Sheets 4, 5, and 6.

### **Utilities**

- New underground electrical and cable service will be run into the site as part of the road construction.

### **Financial Capacity**

- As part of Final Plan submission dated August 12, 2013, the applicant shows an estimate the total project costs. These costs have been budgeted for by the Windham Parks and Recreation Department.

### **Landscape Plan**

- Split-rail fencing is shown on the plans, as a means to protect the parking islands and define the parking areas.

### **Conformity with Local Plans and Ordinances**

#### 1. Land Use

- This project meets the standards of the RP, F, C-1, APA, and APB zoning districts.

#### 2. Comprehensive Plan

- This project meets the goals and objectives of the 2003 Comprehensive Plan.

#### 3. Others:

- None.

### **Impacts to Adjacent/Neighboring Properties**

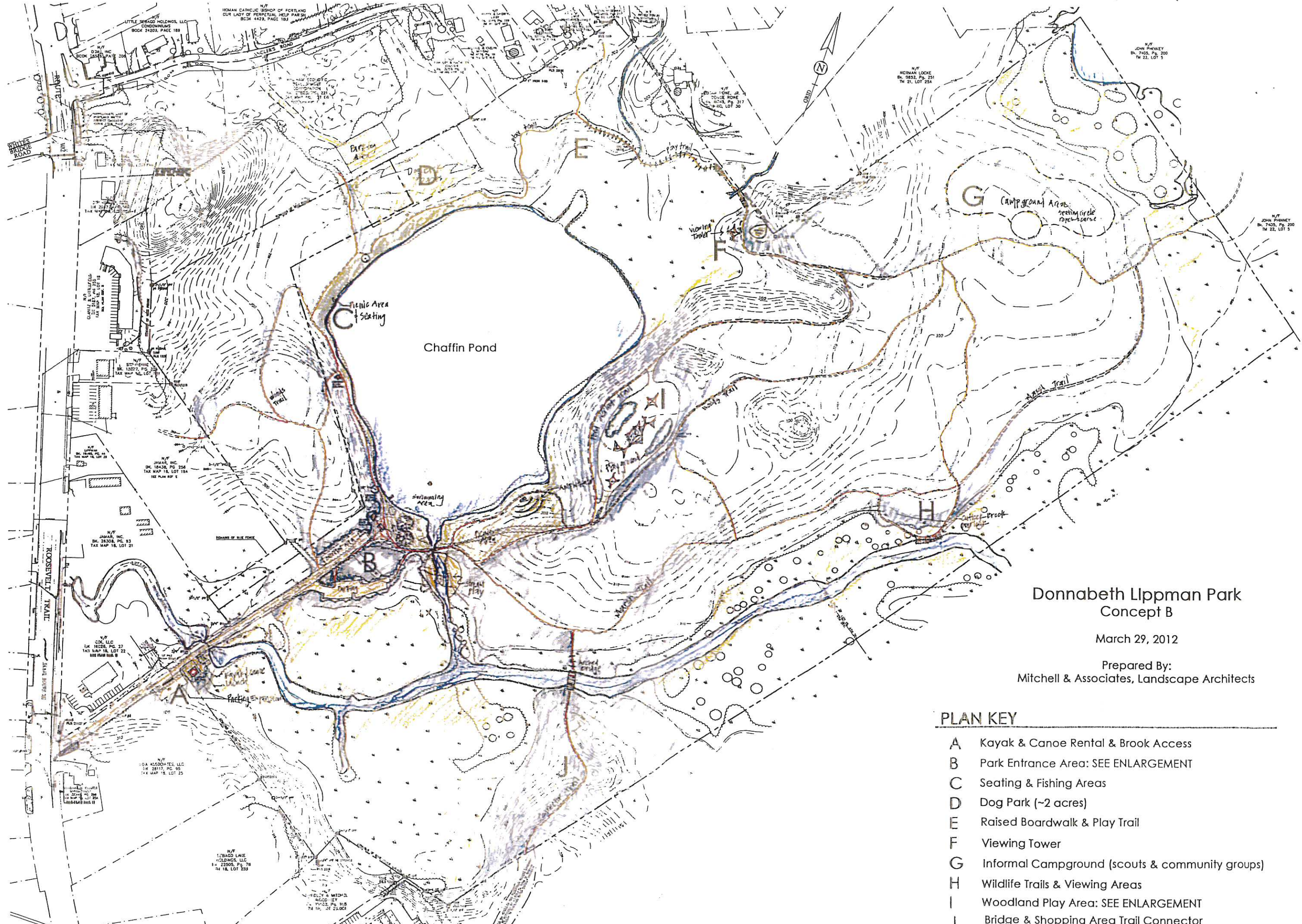
- The proposed parking and open lawn area will not have an adverse impact on abutting properties, as they will be located interior to the site.
- No lighting is proposed as part of this project.
- The park will not be open past dusk, so night-time noise or lighting cissues are not anticipated.

## CONCLUSIONS

1. The plan for development **reflects** the natural capacities of the site to support development.
2. Buildings, lots, and support facilities **will** be clustered in those portions of the site that have the most suitable conditions for development.
3. Environmentally sensitive areas, including but not limited to, wetlands; steep slopes; flood plains; significant wildlife habitats, fisheries, and scenic areas; habitat for rare and endangered plants and animals; unique natural communities and natural areas; and, sand and gravel aquifers **will** be maintained and protected to the maximum extent.
4. The proposed site plan **has** sufficient water available for the reasonably foreseeable needs of the site plan.
5. The proposed site plan **will not** cause unreasonable soil erosion or a reduction in the land's capacity to hold water so that a dangerous or unhealthy condition results.
6. The proposed use and layout **will** be of such a nature that it will make vehicular or pedestrian traffic no more hazardous than is normal for the area involved.
7. The proposed site plan **will** provide for adequate sewage waste disposal.
8. The proposed site plan **conforms** to a duly adopted site plan regulation or ordinance, comprehensive plan, development plan, or land use plan.
9. The developer **has** adequate financial capacity to meet the standards of this section.
10. The proposed site plan **will not** alone or in conjunction with existing activities, adversely affect the quality or quantity of ground water.
11. The proposed site plan **will** provide for adequate storm water management.
12. The proposed location and height of buildings or structure walls and fences, parking, loading and landscaping shall be such that it **will not** interfere or discourage the appropriate development in the use of land adjacent to the proposed site or unreasonable affect its value.
13. On-site landscaping **does** provide adequate protection to neighboring properties from detrimental features of the development that could be avoided by adequate landscaping.

## CONDITIONS OF APPROVAL

1. Approval is dependent upon, and limited to, the proposals and plans contained in the application dated May 13, 2013, as amended August 3, 2013, and supporting documents and oral representations submitted and affirmed by the applicant, and conditions, if any, imposed by the Planning Board, and any variation from such plans, proposals and supporting documents and representations are subject to review and approval by the Planning Board or the Town Planner in accordance with Section 814.G. of the Land Use Ordinance.
2. Planning staff may approve a minor modification to the Site Plan related to the replacement of the existing 36-inch culvert provided the modification does not adversely impact the flow calculations approved by the Planning Board.



Donnabeth Lippman Park  
Concept B

March 29, 2012

Prepared By:  
Mitchell & Associates, Landscape Architects

PLAN KEY

- A Kayak & Canoe Rental & Brook Access
- B Park Entrance Area: SEE ENLARGEMENT
- C Seating & Fishing Areas
- D Dog Park (~2 acres)
- E Raised Boardwalk & Play Trail
- F Viewing Tower
- G Informal Campground (scouts & community groups)
- H Wildlife Trails & Viewing Areas
- I Woodland Play Area: SEE ENLARGEMENT
- J Bridge & Shopping Area Trail Connector



Figure 1 & 2 - Existing foot bridges



Figure 3 - Impassable wet area



Figure 4 - Area marking of anticipated new trail



Figure 5 - Beaver Dam



Figure 6 -Another impassable wet area



Figure 7 - Picnic Area and pond



Figure 8 – Another view of the pond



Figure 9 - 1 of 3 Utility Buildings on the property



Figure 10 - Looking across the pond



Figure 11 - Donated Granite Sign marks the entrance



Figure I2 - Trails at Donnabeth Lippman Park