

Eastern Trail Management District Board of Directors Agenda
January 11, 2006 • 8:30 – 10:30 am
Kennebunk Town Hall

Most of the items listed under “Agenda Items” will have an attached sheet that provides information including background, necessary attachments, staff recommendations and proposed motions. This should allow you to be better prepared and reduce the amount of time that I need to talk thus allowing more focus on the actual issues.

- I. Welcome & Introductions
- II. Presidents Report – As needed
- III. Approval of Minutes
 - A. Minutes for December 14, 2005 approval by consensus or as amended
- IV. Agenda Items
 - A. Construction Projects
 - 1. Scarborough Project
 - 2. OOB Project
 - 3. S. Portland – Scarborough Connector Project
 - 4. Desfosses Project
 - 5. Saco River Crossing Project
 - B. MDOT Project Deferment
 - C. GSGT Master Co-Location Update
 - D. Finances
 - 1. Finance Report for December 2005 accepted by consensus
 - 2. FY 06 Membership Fee
 - E. Proposed Trail Rules
 - 1. Review/comment on rules 1-6 only
- V. ETA Report
- VI. Consultant Report – As needed
- VII. Next meeting: February 8, 2006 8:30am – 10:30am
- VIII. Adjourn

2006 Meeting Schedule (Second Wednesday of the month)	
January 11	February 8
March 8	April 12
May 10	June 14
July 12	August 9
September 13	October 11
November 8	December 13

ETMD Agenda Commentary

Agenda Item: IV-A-1 Construction Projects – Scarborough Project

CPM has completed all remaining work on the project. By modifying the bollards and attaching them directly to the concrete bridge abutments we were able to decrease the space between bollards to app. 36 inches which will help stop ATV access, provide enough strength to the bollards so that short of being rammed they won't move and not interfere with the gas pipeline. The gaps between the bridge railings and the bridge approach railings have been closed to meet the six inch maximum. CPM will return in the spring when the weather is warm enough to paint the railing modifications and restore the trail surface where it has been disturbed. With the completion of this work I will now begin project close-out negotiations with CPM and WSA. I expect to maintain a small retainer until the cleanup work is completed in the spring.

While onsite December 21, 2005 I observed that the topcoat on the bridge has begun to fail. I observed what appears to be stress cracks in the coating and in many sections the coating has actually peeled off. I was not able to inspect the section of the bridge over the water, but it appears that the failure is limited to the first truss section on the south - west side and does not include the braces. CPM has been notified and in turn has notified the bridge company. I am waiting to hear how they intended to address the problem. We have not signed off on the project nor the bridge so this problem rests completely with the contractor. This will impact project close-out and I expect that we will retain significant money until this is corrected.

Agenda Item: IV-A-2 Agenda Item: OOB Project

Andy MacDonald at MDOT is in the process of reviewing the 50% design package from Milone & MacBroom. I have attached the 50% design report which contains cost estimates for your review. I will also have a copy of the plans at the meeting for those that would like to review them. GSGT still has not responded with design comments or cost estimates for relocating its pipe, but is in the process of doing a team review of the entire project (agreement and plans) for more information see IV-C. A design option for Mill Brook/Old Cascade Road will have to be selected in the near future. I am in the process of scheduling the final public hearing, meetings and revising the timeline for moving the project to construction. [See Attachment IV-A-2.](#)

Agenda Item: IV-A-3 Agenda Item: SP Connector Study

WSA is in the process of completing the cost estimates for each of the identified options. There had been a steering meeting scheduled for last week, but it was cancelled once we realized that we had got ahead of the project schedule and time needed to complete the work. Overall the project is on schedule and we will be selecting the date for the final public hearing in late February. WSA will attend the March board meeting and a final determination of the route will be made. The final report should be completed by the end of March.

Agenda Item: IV-A-4 Construction Projects – Desfosses Project

No Change, project is in winter shutdown.

Agenda Item: IV-A-5 Construction Projects – Saco River Project

MDOT Project Agreement is in place and funds for preliminary engineering have been allocated. Steve will be putting the engineering RFQ package together and sending to MDOT for review over the next month. In order to make this happen Steve will need aerial photographs with tax map overlays for the corridor, a list of town owned sites along the river and a list of any current or planned spur connections to the ET from both Biddeford and Saco.

Agenda Item: IV-B – MDOT Project Deferment List

Dale Dowdy, MDOT Planning, confirmed that MDOT did not have the authority to re-allocate funds committed to a specific project by the federal government. This means that the one million earmark is still in tact. He said that the Turnpike Crossing Project should have stated that construction funds were deferred, but preliminary engineering will continue. Unfortunately, the announcement left off that part of the sentence and our constituents (and us) believed that MDOT was deferring the entire project. The Turnpike Project has been assigned a PIN number and \$300,000 has been allocated for preliminary engineering. This is an arbitrary amount from my perspective, but it should be sufficient to complete engineering. Steve will request that MDOT issue a project agreement and will start preparing the RFQ for engineering services for release at the end of winter. The schedule may change if the process for securing engineers for the Saco River Project slows because logistically it is not feasible to be advertising and selecting for two projects at the same time.

The overall way in which the deferments were handled is disappointing. Not only was municipal and public notice made over the holiday, but it appears that the left hand did not know what the right hand was doing at MDOT. This was a public relations nightmare for the ET, ETMD and ETA because we did not receive any notice and were caught unprepared with incorrect information. As it turns out, the ETMD should have received notice, but while the municipal letters came from the planning office through highway deferments they did not send to us because they believed that Dan Stewart's office would issue our letter. Additionally, I found out that the deferments were in the works back to a point before John Balicki left. I agree with MDOT's decision to defer the construction funds for the Turnpike Project as we will not be ready to construct until '08 or '09, but it would have been helpful if this had been discussed with ETMD. If you have an opportunity to discuss this process or to provide feedback to MDOT please advocate for better communication with ETMD.

Agenda Item: IV-C GSGT Easement Negotiations

There has been little progress to report on until this past Friday, January 6 when I was contacted by a new independent land agent named Patti Quinn who has been hired by GSGT to review land issues associated with the OOB Project and then to begin looking at the land on other projects such as the Turnpike Crossing. Prior to this GSGT has had preliminary design plans for OOB, a final draft co-location agreement for the OOB Project and a draft for a master co-location agreement for the remainder of the trail, but no outward progress had been made. Patti informed me that GSGT held a large conference call meeting on January 6 and reports that tasks have been divided up and that they seem to be attempting to make some real progress to resolve these pending issues. GSGT has directed Patti to us for help in assessing the ownership of the corridor as the past work that Mac Sexton and others have done is the most comprehensive to date on an otherwise murky list of landowners. Patti will be meeting with Steve on January 17 to review land documents and issues that both GSGT and ETMD have or have identified.

Agenda Item: IV-D-2 Finances – Membership Fee 2006

This is a continued discussion from both the November and December meetings. There is a motion that was tabled to the January 2006 meeting to increase the membership fee to \$6,000 for FY 06/07. The motion was tabled to allow Steve time to produce a year end summary of the work of the ETMD, status of the trail and financial justification for increasing the fee. At the time of this report Steve has not completed the material, but expects to have a rough draft to send under separate cover prior to the meeting.

It was the consensus of the board that this issue had to be resolved at this meeting so that a request could be sent to the municipalities who have already begun their budget process.

Tabled Motion: Terrence Parker and Dan Fleishman moved that the board set the membership fee for fiscal year 06/07 to \$6,000 and to produce materials that will explain and support the increase.

Agenda Item: IV-E Proposed Trail Rules

Meaningful review of the rules has been delayed since September. Written feedback has been collected, but the only progress seems to be griping over how much work the rules need. The ETMD must address this as sections are already open to public use and while a town ordinance may govern certain aspects there are many gray areas that our rules would clarify. In attempt to make this task less daunting we will begin reviewing rules and adopting them one at a time.

Goal for this meeting is to review proposed rules #1-6, which have been listed below with any feedback submitted.

Proposed Motion: “Move that the board adopt the following rule to govern the operation of the trail: ”

Background: The ETMD has not yet adopted a set of rules for trail users to follow. The goal is to have one set of rules that will apply to the whole trail. Eventually these rules will be part of an ordinance that will govern the Eastern Trail which we will ask each municipality to adopt. Currently, without an ET Ordinance, a municipality may have an ordinance on a particular matter that will by default apply to the ET, for example, Scarborough’s animal waste ordinance. I have collected feedback on the rules over the past two meeting cycles and compiled it by rule [See Attachment] also provided at the October meeting.

1. Permitted hours of use: Sunrise to sunset.

- Change to “Dawn to Dusk” to provide additional ½ hour on each side. Complies with hunting regs
- There are many fall days where the sun goes down early, but a cyclist with headlights could safely ride the Eastern Trail, as well as joggers, and walkers. One of the benefits of an off-road trail would allow extra commuting time during late October and November when folks may not want to be on the road a lot, but an off-road trail after dusk might be appealing. Also I suspect that many would enjoy cross-country skiing under a moonlight sky. How about a 10 or 11 pm curfew, if a curfew is needed at all?
- Could require special permits for later activities which would give ETMD and police heads up
- I like the trail open from Dawn to Dusk. I think this would be fine in most section of trail ,and sections that offer an outstanding after Dusk view, example(Bug Light Park in S. Portland) we can change these areas hours. Having the entire trail open after Dusk is inviting problems. Having the trail open after Dusk just invites people to wander around after dark, and the trail to become a hang out for people who have no good reason to be there. I believe the local police will have to check parking areas especially those area that are isolated. Late night dog walkers are not going to clean up after their dog.
- Keeping the trail open to dusk (or dark) presents security issues. Police should be consultant before implementing.

2. Unauthorized use of motor vehicles including ATV’s, snowmobiles, motor bikes, etc. on trail is strictly prohibited.

- Language barring motorized vehicles needs to make it clear that the ETMD is merely supporting landowner restrictions. Maine has 100,000 registered snowmobiles and 100’s of clubs, numerous dealers, and strong support in the legislature and in the Department of Conservation. If ETMD is seen as hostile to snowmobiles and ATVs, it could cost state funding. The Down East Trail is, and will be open to snowmobiles and ATVs. The Mountain Division Trail is, and will be, open to snowmobiles. Why would those users groups support sending limited trail funds to build the ET whose leaders seem opposed to their sports? Five years ago GSGT told snowmobile users it was ET supporters that caused GSGT to shut down a major N. Berwick-Wells snowmobile trail. ETMD could make matters worse.
- **Add:** “This is a landowner restriction which the Management District supports as a condition of providing a public access trail.”
- **Replace with:** “ETMD supports and enforces landowner access restrictions. This means motorized recreation vehicles are generally prohibited from the Eastern Trail.”

3. Park in designated areas only; take only the space needed and do not block other vehicles or access to trails.

4. Stay on marked trails to help prevent erosion and damage to plants. Respect the rights of public and private landowners. Take only pictures; leave only footprints.

5. Obey all traffic laws; signal & look before turning.

- Add “Bicyclist”
- I assume this is meant to apply to on-road travel. How far into teaching safe biking should ETMD venture?
- SW – This rule was intended to apply to all users, not just cyclists, on the off road trail.

6. Proper control must be maintained at all times. Speed should be restricted to safe levels appropriate for existing trail conditions.

- How far into teaching safe biking should ETMD venture?
 - Keeping to the right and requiring bicyclist to drive at a safe moderate speed. Many bicyclist travel at too fast a speed as if they are on a road shoulder, that is too fast for walking pedestrians, and dangerous.
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PRELIMINARY DESIGN REPORT
Eastern Trail - Old Orchard Beach Section

MDOT PIN: 10226.30
Federal Aid Project No.: STP-1022(630)X

December 12, 2005

PROJECT DESCRIPTION

The Eastern Trail Management District (ETMD) is proceeding to develop plans and specifications to extend the Eastern Trail southerly from the recently completed section over the Scarborough Marsh, a distance of approximately 2.6 miles. This section would extend the trail from Pine Point Road in Scarborough to Route 98 (Cascade Road) in Old Orchard Beach. As in the previous section, the trail would follow the old Eastern Railroad rail bed and require development of a method of crossing Mill Brook and Old Cascade Road.

Existing Conditions

For discussion purposes, the trail can be divided into sections:

Route 98 to Milliken Mills Road – Station 10+00 to Station 42+40

This section contains the crossing of Old Cascade Road and Mill Brook. Previously, the railroad had crossed Old Cascade Road via a bridge, whose superstructure has since been removed, leaving the concrete abutments which still stand, although severally weathered. At Mill Brook, the old culvert has been washed away leaving an open stream with steep banks, which are being eroded by the use of four-wheelers and snowmobiles

As is the case throughout the old railroad bed, the Granite State Gas Transmission gas line runs along the proposed trail. In the area of Old Cascade Road and Mill Brook,

the gas line runs through a series of offsets as it winds under Old Cascade Road and Mill Brook. In addition, between Route 98 and Old Cascade Road, there is an above-ground valve station.

The remainder of this section travels along the old railroad bed with a CMP transmission line on one side and Mill Brook on the other. As the trail approaches the Milliken Mills Road crossing, several of the homes on the west side have installed fences and sheds which encroach on the railroad ROW. This area is relatively flat and tends to accumulate runoff in the wet season.

Milliken Mills Road to Blue Point Road - Station 42+40 to Station 97+35

This section runs along the CMP transmission line on the west and along the rear of recently built homes on the east. At Station 63+50, the CMP transmission line angles off to the west and the remainder of this area is wooded with many sections of wetlands along each side of the trail. Due to the use of off-road vehicles, the trail is lower than the surrounding ground and tends to accumulate runoff and, eventually, drains toward Blue Point Road. At approximately Station 85+00, an old quarry will either accept runoff or discharge an overflow back on the trail, depending on the amount of runoff and time of the year.

Blue Point Road to Pine Point Road - Station 42+40 to 127+79.64

This section was previously designed in the Scarborough section and bid as an alternate, which was not constructed.

Proposed Trail Development

The project was initiated by a field walk with the client, surveyor, soils scientist and engineer to determine the limits of work, areas of special interest and discuss the scope of

work. A field determination of wetlands was undertaken and a topographic survey was performed. Field location of the Granite State Gas Transmission line was performed by the gas company.

Concept plans

Alternatives for crossing Old Cascade Road and Mill Brook were developed using combinations of new pedestrian bridges and/or culverts. In addition, the concept of removing the concrete abutments and lowering the grade to the level of Old Cascade Road from Route 98 to the Mill Brook crossing was developed.

A public hearing was held to present the concept plans. Comments were favorable. The property owners on the east side of the trail at the location of the trailhead parking were concerned about people trespassing on their property.

Granite State Gas Transmission

A field meeting with representatives of the gas company was held to discuss the options of the crossings and possible relocation work by GSGT. Subsequent discussions were held with officials of the gas company and plans have been submitted for their review.

Preliminary indications from GSGT do not seem to favor Alternates 1 or 2 due to the either the high bridge over Mill Brook or the culvert and additional fill required.

Preliminary plans

For the preliminary design submission, we have included a set of 1" = 40' drawings and 20-scale drawings of the alternative drawings for Alternates 1, 2, and 3.

The alternates include the following:

Alternate 1 - Maintain the old railroad grade by installing a single span pedestrian bridge on new short abutments over the old abutments, and installing a 3-span pedestrian bridge over Mill Brook with two piers and two abutments.

Alternate 2 - Maintain the old railroad grade by installing a single span pedestrian bridge on new short abutments over the old abutments, and installing a box culvert with necessary fill slopes to pass the Mill Brook under the trail.

Alternate 3 - Remove the old concrete abutments, regrade, and lower the trail to enable an at-grade crossing of Old Cascade Road and install a shorter and lower 3-span pedestrian bridge over Mill Brook.

The balance of the trail will be a more traditional construction as shown on the plans. Highlights include a trailhead parking with access of Old Cascade Road, a viewing platform of Mill Pond at approximately Station 29+50, trail head parking off Blue Point Road and an access path to Peterson Field at approximately Station 122+00. It should be noted that from Station 72+00 to Station 97+20, additional fill will be required to provide drainage away from the trail.

Items to be addressed in final design include signage, gates and permitting.

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**EASTERN TRAIL MANAGEMENT DISTRICT - PHASE II
 SCARBOROUGH OLD & ORCHARD BEACH, MAINE**

State Project No. 10226.30 - Fed. Project No. 1022(630)X

December 21, 2005

Description	Unit	Unit Price (\$)	BASE TRAIL Sta. 18+50 to 127+80		ALTERNATE 1 Sta. 10+00 to 18+50		ALTERNATE 2 Sta. 10+00 to 18+50		ALTERNATE 3 Sta. 10+00 to 18+50	
			Quan.	Amount (\$)	Quan.	Amount (\$)	Quan.	Amount (\$)	Quan.	Amount (\$)
MOBILIZATION	LS	LS	1	25,000.00	1	4,000.00	1	4,000.00	1	4,000.00
CLEARING AND GRUBBING	LS	LS	1	50,000.00	1	9,000.00	1	11,000.00	1	11,000.00
WATER POLLUTION CONTROL	LS	LS	1	10,000.00	1	2,000.00	1	3,500.00	1	2,000.00
REMOVALS	LS	LS	1	10,000.00					1	4,000.00
CONSTRUCTION STAKING	LS	LS	1	20,000.00	1	2,500.00	1	2,500.00	1	1,500.00
EXCAVATION /GRADING	LS	LS	1	60,000.00	1	3,200.00	1	4,200.00	1	3,500.00
STRUCTURE EXCAVATION	CY	15.00		-	600	9,000.00	300	4,500.00	200	3,000.00
MAINTENANCE & PROTECTION OF TRAFFIC	LS	LS	1	7,500.00	1	500.00	1	500.00	1	1,500.00
FORMATION OF SUBGRADE	SY	1.00	14,500	14,500.00	1,500	1,500.00	1,750	1,750.00	1,600	1,600.00
GEOTEXTILE	SY	1.50	30,000	45,000.00						
CRUSHED STONE SUBBASE	TN	20.00	3,500	70,000.00						
8" PROCESSED AGGREGATE PAVING	TN	18.00	6,350	114,300.00	650	11,700.00	760	13,680.00	690	12,420.00
GRANULAR FILL	CY	30.00		-	70	2,100.00	45	1,350.00	30	900.00
PREVIOUS STRUCTURE BACKFILL	CY	30.00		-	100	3,000.00	250	7,500.00	50	1,500.00

**EASTERN TRAIL MANAGEMENT DISTRICT - PHASE II
 SCARBOROUGH OLD & ORCHARD BEACH, MAINE**

State Project No. 10226.30 - Fed. Project No. 1022(630)X

December 21, 2005

Description	Unit	Unit Price (\$)	BASE TRAIL Sta. 18+50 to 127+80		ALTERNATE 1 Sta. 10+00 to 18+50		ALTERNATE 2 Sta. 10+00 to 18+50		ALTERNATE 3 Sta. 10+00 to 18+50	
			Quan.	Amount (\$)	Quan.	Amount (\$)	Quan.	Amount (\$)	Quan.	Amount (\$)
REINFORCED CONCRETE	CY	550.00		-	175	96,250.00	90	49,500.00	120	66,000.00
BITUMINOUS CONCRETE APRON	SY	35.00	85	2,975.00	14	490.00	14	490.00	42	1,470.00
TOPSOIL AND TURF ESTABLISHMENT	SY	5.00	12,500	62,500.00	1,400	7,000.00	2,100	10,500.00	2,200	11,000.00
LANDSCAPING & PLANTINGS	LS	LS			1	7,000.00	1	14,000.00	1	13,000.00
VIEWING PLATFORM	EA	2000.00	1	2,000.00		-		-		-
ACCESS GATE	EA	2500.00	5	12,500.00	1	2,500.00	1	2,500.00	1	2,500.00
REMOVAL BOLLARD	EA	1000.00	10	10,000.00	2	2,000.00	2	2,000.00	4	4,000.00
FIXED BOLLARD	EA	500.00	7	3,500.00	3	1,500.00	3	1,500.00	5	2,500.00
EMERGENCY ACCESS GATE	EA	2500.00		-	1	2,500.00	1	2,500.00		-
ROUND RAIL WOOD FENCE	LF	12.00	600	7,200.00	800	9,600.00	1,150	13,800.00	900	10,800.00
STEEL PIPE RAIL FENCE	LF	50.00		-	130	6,500.00	65	3,250.00	65	3,250.00
TRAIL ENTRANCE INFORMATION SIGNS	EA	500.00	5	2,500.00	1	500.00	1	500.00	1	500.00
INFORMATION KIOSK	EA	2000.00	1	2,000.00	1	2,000.00	1	2,000.00	1	2,000.00
PAINTED CROSS WALKS	SF	5.00	440	2,200.00		-		-	110	550.00

**EASTERN TRAIL MANAGEMENT DISTRICT - PHASE II
 SCARBOROUGH OLD & ORCHARD BEACH, MAINE**

State Project No. 10226.30 - Fed. Project No. 1022(630)X

December 21, 2005

Description	Unit	Unit Price (\$)	BASE TRAIL Sta. 18+50 to 127+80		ALTERNATE 1 Sta. 10+00 to 18+50		ALTERNATE 2 Sta. 10+00 to 18+50		ALTERNATE 3 Sta. 10+00 to 18+50	
			Quan.	Amount (\$)	Quan.	Amount (\$)	Quan.	Amount (\$)	Quan.	Amount (\$)
SIGNAGE	SF	40.00	80	3,200.00	30	1,200.00	30	1,200.00	55	2,200.00
PRE-FABRICATED PEDESTRIAN BRIDGE ONE 54' SPAN	LS	LS	1	65,000.00	1	65,000.00	1	65,000.00		
PRE-FABRICATED PEDESTRIAN BRIDGE THREE 60' SPANS	LS	LS	1	220,000.00	1	220,000.00				
10' X 10' BOX CULVERT	LS	LS					1	40,000.00		
HANDLING WATER	LS	LS	1	2,500.00	1	2,500.00	1	6,000.00	1	2,500.00
PRE-FABRICATED PEDESTRIAN BRIDGE THREE 50' SPANS	LS	LS							1	180,000.00
TOWN ROAD RECONSTRUCTION	SY	50.00		-		-		-	200	10,000.00
LOWER GRADE OF TRAIL	CY	10.00		-		-		-	3,100	31,000.00
SUBTOTAL			\$	536,875.00	\$	475,040.00	\$	269,220.00	\$	390,190.00
5% INCIDENTALS			\$	26,843.75	\$	23,752.00	\$	13,461.00	\$	19,509.50
7% CONTINGENCY			\$	39,460.31	\$	34,915.44	\$	19,787.67	\$	28,678.97
ROUNDED TOTALS			\$	610,000.00	\$	534,000.00	\$	303,000.00	\$	439,000.00