

Kennebunk 19392.00
Multimodal Improvements Project
de minimis Summary
[DRAFT]

Brief Description of Project

The purpose of the action is to provide a safe pedestrian facility to improve connectivity between the residential, recreational, and downtown areas of Kennebunk.

The need for this project is because pedestrian facilities are non-existent within the project area and the existing roadway shoulders are too narrow to safely accommodate foot traffic. Pedestrians currently travel through the corridor despite the lack of a suitable and safe pedestrian infrastructure.

The proposed action would construct approximately 3,500 feet of new 5' HMA sidewalk for the full length of Factory Pasture Lane and Depot Street, beginning at the intersection of Factory Pasture Lane and Water Street and extending .66 miles to the intersection of Depot Street and Summer Street. Slipform concrete curb would be used from the intersection of Factory Pasture Lane and Water Street and extend approximately .5 miles. Type 1 granite curb would be used for the remainder of the sidewalk that would extend .13 miles onto Depot Street and terminate at the intersection of Depot Street and Summer Street. Crosswalks are proposed across Winter Street, Haley Woods Lane, and at the intersection of Depot Street and Summer Street. No pedestrian signals are proposed. 2' by 6' detectable landing pads are proposed at the crosswalk locations.

Use of 4(f) Properties and Impacts

Section 4(f) of the Department of Transportation Act of 1966 and its revisions protects four types of properties; parks, recreation areas, wildlife and water-fowl refuges, and historic sites. One park and several historic sites (contributing resources to the Kennebunk Historic District) were found within the project area.

The following section describes 4(f) uses found within the property lines of the park and historic sites. Stationing is provided below for all rights impacts. Figure 1 below pictures the entire project area.



Figure 1. Kennebunk 19392.00 Area of Potential Effect

Historic Sites

All work to take place adjacent to the historic sites would be within the existing right-of-way. Section 4(f) does not apply, as there would be no use on the historic properties, nor would temporary rights be required.

Public Parks

Kennebunk Skateboard Park (Town of Kennebunk; STA 102+00L to STA 113+40L)

The proposed action would require the use of approximately 6,500 SF for temporary construction rights and approximately 2,235 SF would be permanently incorporated.

Recreation Areas

No recreational areas were found within the project area.

Wildlife and Waterfowl Refuges

No wildlife and waterfowl refuges were found within the project area.

Avoidance, Minimization, and Mitigation

The proposed action minimizes effects by loaming and seeding all disturbed areas. No physical impacts would be made to the immediate area surrounding the skate park.

Analysis

In coordination with the officials with jurisdiction (Tasha Pinkham, Director of Parks and Recreation) MaineDOT determined that portions of the park represent temporary occupancies of land so minimal as to not constitute a use within the meaning of Section 4(f). All conditions in 23 CFR 774.13(d) 1-5 are present, including:

- The land use is of short duration (less than the time needed for the construction of the project);
- There is no change in ownership of the land;
- The scope of the work is minor;
- There are no temporary or permanent adverse changes to the activities, features, or attributes of the property;
- The land will be fully restored to a condition at least as good as prior to the project; and
- There is a documented agreement from the official with jurisdiction (SHPO) over the property with the above conditions.

In accordance with 23 CFR 774.13(d)(5), MaineDOT informed Tasha Pinkham, Director of Parks and Recreation, of the temporary use of the Kennebunk Skateboard Park on July 6, 2020.

The use of the remaining park was found to have a *de minimis* impact due to the project having no adverse effect on the Kennebunk Skateboard Park in accordance with 23 CFR 774. The transportation use of the Section 4(f) property, together with impact avoidance and minimization, does not constitute a net adverse effect to the activities, features, or attributes that qualifies the resource for protection under Section 4(f). Measures to avoid and minimize impacts to the park have been undertaken. In accordance with 23 CFR Part 774.5(b)(2)(i) & (ii), MaineDOT informed the public regarding impacts to the Kennebunk Skateboard Park via public notice and informed Tasha Pinkham, Director of Parks and Recreation, regarding the intent to make a *de minimis* impact determination via letter on July 6, 2020. **[Concurrence with the Town is currently pending and the public comment period is ongoing]**

A *de minimis* summary sheet identifying 4(f) uses and evaluation results for the properties are included below.

Finding

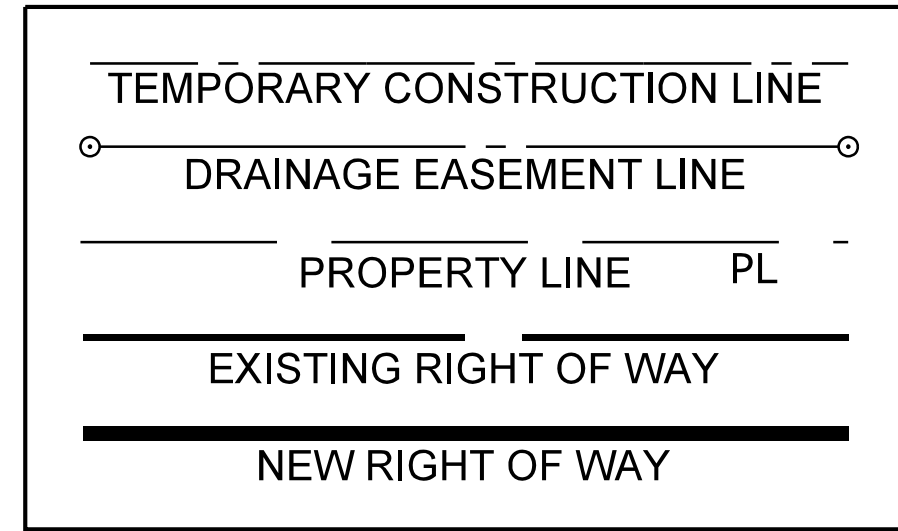
This transportation project is determined to have a *de minimis* impact on the Kennebunk Skateboard Park. In accordance with 23 CFR 774.5(b)(2)(ii), Tasha Pinkham, Director of Parks and Recreation, was informed of the intent to make a *de minimis* impact determination on the Section 4(f) property for this proposed project on July 6, 2020. **[Concurrence with the Town is currently pending and the public comment period is ongoing]**

Table 1. De Minimis Summary Sheet
 Kennebunk 19392.00

Station	Owner	Name	4(f) Use?	4(f) Finding
STA 102+00L to STA 113+40L	Town of Kennebunk	Kennebunk Skateboard Park	Yes. Approximately 2,235 SF would be permanently incorporated.	<i>de minimis</i>

EXISTING RIGHT-OF-WAY — GRADING LIMITS — PROPERTY LINE —

LEGEND



DESIGNED	CHECKED
NLS	SSS
1 NLS 06/17/20 PLANS TO APPRAISER	
REV. BY:	DATE: STATUS:
THIS PLAN SHALL NOT BE MODIFIED WITHOUT WRITTEN PERMISSION FROM SEBAGO TECHNICS, INC. ANY ALTERATIONS AUTHORIZED OR OTHERWISE, SHALL BE AT THE USER'S SOLE RISK AND WITHOUT LIABILITY TO SEBAGO TECHNICS, INC.	

NOTE:
TOPOGRAPHIC SURVEY WAS DEVELOPED IN THE DATUMS NAVD-88 AND MAINE 2000 WEST. THE SOUTHERLY SIDE OF FACTORY PASTURE LANE AND DEPOT STREET WAS COMPLETED BY NORTHEAST CIVIL SOLUTIONS IN MAY 2012 FOR CMA ENGINEERS, PROJECT NUMBER 830.0. RIGHT-OF-WAY RESEARCH WAS ALSO COMPLETED BY NORTHEAST CIVIL SOLUTIONS AT THIS TIME. SUPPLEMENTAL TOPOGRAPHIC SURVEY FOR THE NORTHERLY SIDE OF FACTORY PASTURE LANE AND DEPOT STREET WAS COMPLETED BY DOUCET SURVEY, INC. FOR SEBAGO TECHNICS IN SEPTEMBER 2017. SEBAGO TECHNICS UPDATED THE TOPOGRAPHY ON PARCEL 12 IN MAY OF 2020.

CURVE DATA #1
PI = 103+54.53
D = 39°30'51.6"
Δ = 62°40'31.8" Rt.
R = 145.00'
L = 158.61'
T = 88.29'
E = 24.77'

KENNEBUNK LIGHT & POWER DISTRICT
PARCEL NO. (2)
LAND TAKEN = 2,260± SF
TEMP. CONST. RIGHTS = 1,815± SF (1)
TOTAL AREA = 1.49± ACRES

GREEN ROAD LLC
C/O JUDITH S KING &
REGINA ZANETTI
PARCEL NO. (1)
LAND TAKEN = 1,062± SF
TEMP. CONST. RIGHTS = 183± SF (1)
TOTAL AREA = 0.62± ACRES

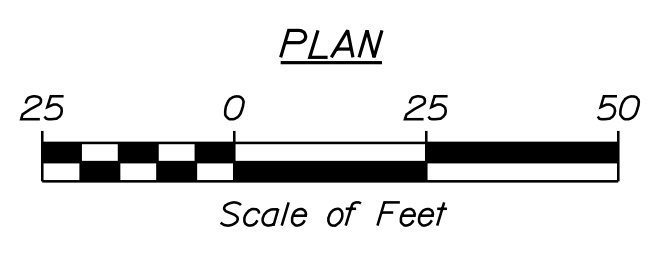
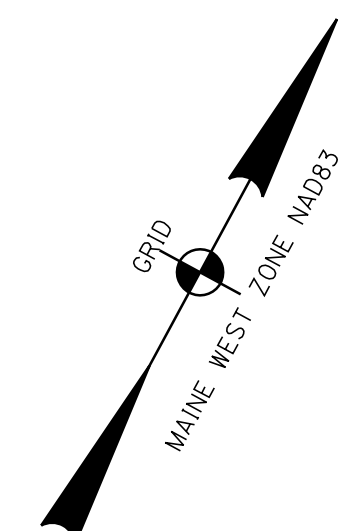
permanent incorporation

TOWN OF KENNEBUNK
PARCEL NO. (3)
LAND TAKEN = 2,235± SF
TOTAL AREA = 2.90± ACRES

FACTORY PASTURE ROAD IN THIS AREA APPEARS TO CALL PARTIALLY OUTSIDE OF THE RIGHT-OF-WAY. THE EXISTING RIGHT-OF-WAY WAS RE-CREATED USING THE EXISTING RIGHT-OF-WAY CALLING FOR THE PIPE FOR THE 175' RADIUS CURVE TO BE TO MORE ACCURATELY ESTABLISH THE ORIGINAL LOCATION OF THIS ROAD.
PC = STA. 102+66.23
N: 200482.2795 FT
E: 940574.2446 FT
PT = STA. 104+24.85
N: 200473.3619 FT
E: 940724.8045 FT

CNC REALTY, LTD

POB = STA. 100+00.00
N: 200357.5033 FT
E: 940339.0609 FT



SEBAGO
TECHNICS
WWW.SEBAGOTECHNICS.COM
75 John Roberts Rd.
Suite 4
South Paris, ME 04106
Tel. 207-209-2100

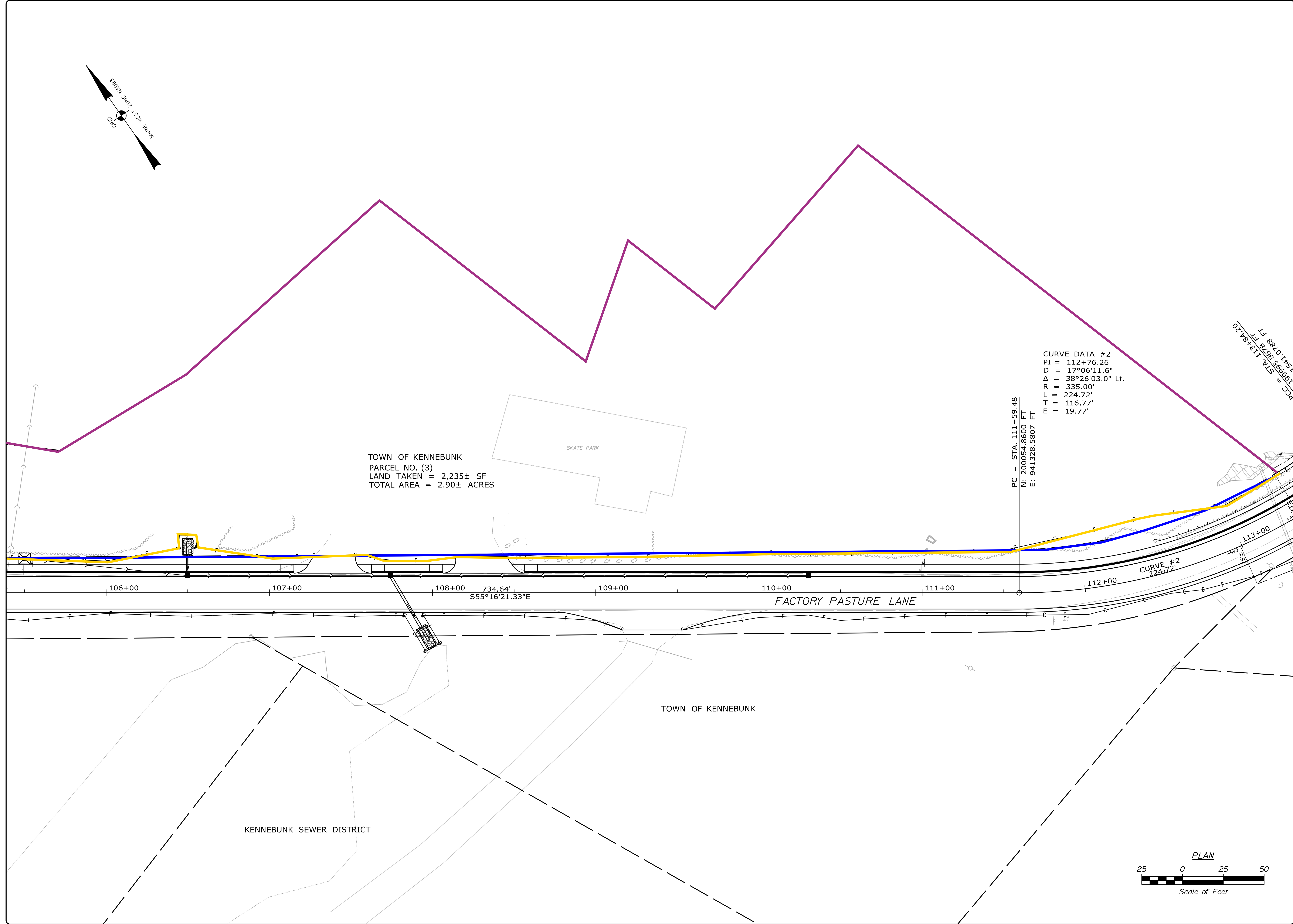
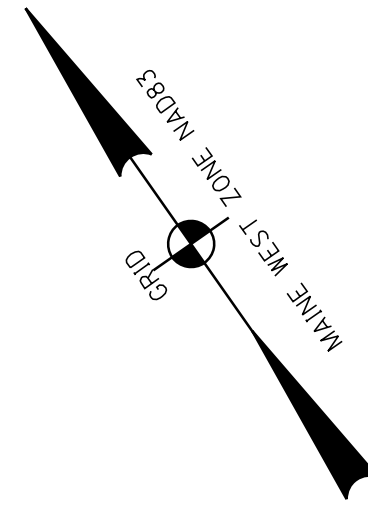
RIGHT-OF-WAY PLAN
OF
KENNEBUNK SIDEWALK
FACTORY PASTURE LANE/DEPOT STREET
KENNEBUNK, MAINE
FOR:
TOWN OF KENNEBUNK
1 SUMMER STREET
KENNEBUNK, MAINE 04043

PROJECT NO. 17094
SCALE 1" = 25'
SHEET 1 OF 5

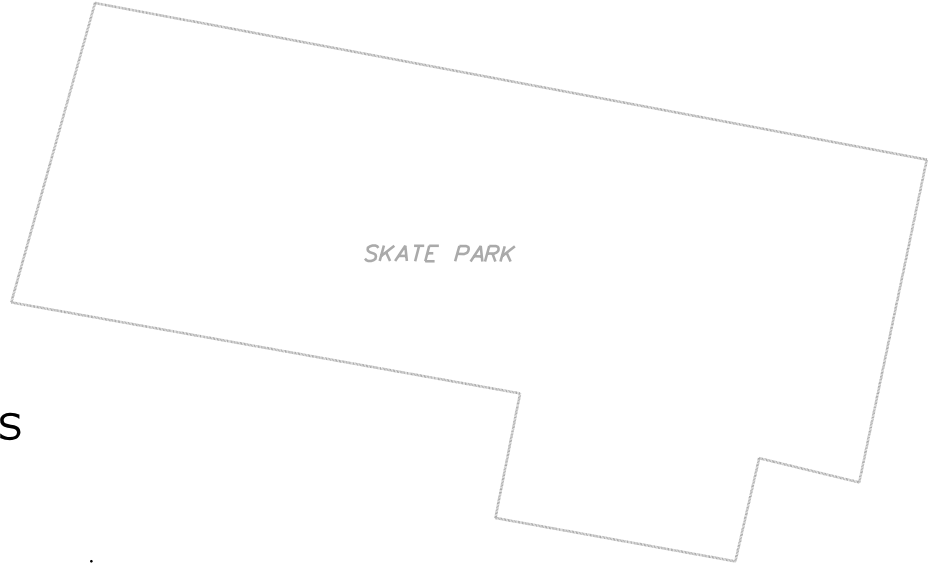
PLS OR PE

PROGRESS PRINT

NOT FOR CONSTRUCTION



TOWN OF KENNEBUNK
 PARCEL NO. (3)
 LAND TAKEN = 2,235± SF
 TOTAL AREA = 2.90± ACRES



CURVE DATA #2
 PI = 112+76.26
 D = 17°06'11.6"
 Δ = 38°26'03.0" Lt.
 R = 335.00'
 L = 224.72'
 T = 116.77'
 E = 19.77'

PC = STA. 111+59.48
 N: 20054.8600 FT
 E: 941328.5807 FT

PCC = STA. 112+84.20
 1541.0188 FT
 1999.9578 FT

106+00

107+00

108+00

109+00

110+00

111+00

112+00

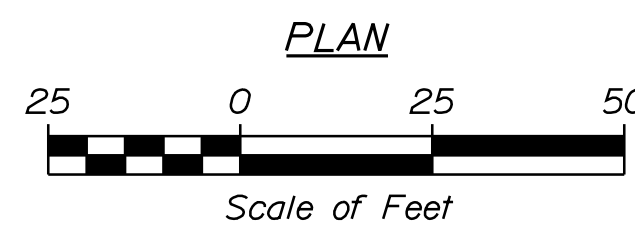
113+00

FACTORY PASTURE LANE

CURVE #2
224.72'

TOWN OF KENNEBUNK

KENNEBUNK SEWER DISTRICT



PLS. OR. PE
 PROGRESS PRINT
 NOT FOR CONSTRUCTION

DESIGNED	CHECKED
NLS	SSS

1 NLS 06/17/20 PLANS TO APPRAISER
 REV. BY: DATE STATUS:
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RIGHT-OF-WAY PLAN
 OF:
 KENNEBUNK SIDEWALK
 FACTORY PASTURE LANE/DEPOT STREET
 KENNEBUNK, MAINE
 FOR:
 TOWN OF KENNEBUNK
 1 SUMMER STREET
 KENNEBUNK, ME 04043

PROJECT NO.	SCALE
17094	1" = 25'

SHEET 2 OF 5