

MEMORANDUM

TO: Conservation Committee
FROM: Maureen O'Meara, Town Planner
DATE: January 15, 2019
SUBJECT: Cliff House Beach Management Plan - policy questions

Introduction

Following installation of replacement steps at Cliff House Beach, the Conservation Committee agreed to work on a management plan for Cliff House Beach. To inform the policy discussion, the neighborhood conducted a survey of neighborhood concerns. The Conservation Committee reviewed the survey results and agreed to consider developing beach specific management policies regarding dogs and fires.

Dogs

In June, 2018, the Conservation Committee reached consensus that rules similar to Willard Beach in South Portland should be applied to Cliff House Beach. Unfortunately, implementation of these rules require amendments to the Dog Ordinance and could not put in place in time for the 2018 summer season.

A review of the Dog Ordinance has now been referred to the Conservation Committee by the Town Council. (See Dog Ordinance Amendments for a complete description of proposed amendments). As proposed, dogs would be restricted to Cliff House Beach as follows:

Dogs on Cliff House Beach				
	Sunrise to 8:59 a.m.	9:00 a.m.- 6:00 p.m.	6:00 p.m. - sunset	sunset - sunrise
May 1-October 1	Voice control or on leash	No dogs allowed	Dogs on leash only	?
October 2- April 30	Voice control or on leash			

Fires

It has been the custom for fires to be kindled for cooking and "ambiance" on Cliff House Beach. The neighborhood survey indicated some concern with fires, including smoke and debris remaining on the beach. Comments have also been made that having a cooking fire is a valued option for some beach users.

The Cape Elizabeth Fire and Police Chiefs were asked to provide information about their experience with fires on Cliff House Beach. About 2-3 complaints a summer are received about fires on Cliff House Beach. Response is either by the Fire Department or more often the Police Department. Most of the time the fire is for "ambiance," as no cooking food is observed. Most of the fires are attended by kids in their early teens with no adult present. The police officer requires the fire to be extinguished.

The Conservation Committee asked about the "Open Burn" permit. This permit is issued to a property owner/representative for a fire on private property. Cliff House Beach is owned by the Town of Cape Elizabeth, so no open burn permit can be issued.

The Management of Greenbelt and Open Space Plan (p. 25) reads as follows:

Fires and Alcohol

Policy: In accordance with State Law, open burning anywhere in Town is allowed only upon issuance of an Open Burn Permit. Alcohol may not be consumed on Town open space.

If the Conservation Committee would like to recognize the custom of a fire on Cliff House Beach, further action is needed.

The following elements are recommended if a beach fire will be allowed:

1. Permit. No beach fire should be allowed without obtaining a new "Cliff House Beach fire" permit. The main function of the permit is to establish a responsible party for the fire. Permits should be limited to adult town residents.
2. Time limit. No fire should be allowed to burn after 9 p.m.
3. Size. No fire shall exceed a ground area of 2 square feet.
4. Adult. An adult must be in attendance while the fire is burning and until it is completely extinguished and be in possession of a permit.

5. Complaint. Upon a complaint, the fire must be extinguished.

Next Steps

The Conservation Committee should decide on policies to recommend to the Town Council. One approach might be to adopt a Cliff House Beach Management Plan as an addendum to the Management of Greenbelt and Open Space Plan. Once a policy is adopted, signage and other communication will be implemented.