

**TOWN OF CAPE ELIZABETH  
HARBORS COMMITTEE**

Meeting Minutes  
January 16, 2018

**Present:** Chair James Casey (JC), Stephen Culver (SC), Susan Farady (SF), and Katharine Ray (KR)

**Absent:** Caitlin Jordan (CJ)

**Staff:** Town Engineer Stephen Harding (SH)

**Public:** Nate Perry (NP) and Jim Morra (JM)

**Call to Order:** Chair Jim Casey called the meeting to order at 6:15 p.m. with a roll call in which Committee Members JC, SC, SF, and KR were present.

**Reports and Correspondence:** The Committee had been provided in their meeting packets information which included:

1. Draft December 12, 2017 Meeting Minutes
2. Amended September 28, 2017 Meeting Minutes
3. Letter to Town Boards and Committees from Council Chair Jessica Sullivan and Town Manager Matt Sturgis
4. January 5, 2018 1<sup>st</sup> Draft of the Committee Report

**Citizen Opportunity for Public Comment:**

- JM of 5 Waumbek Road spoke from the following written statement about the congestion at Kettle Cove especially in regards to the high traffic in the summer.

*I will speak about Kettle Cove from a recreational user's point of view. I read the recommendations from the Cape Elizabeth Fisherman's Alliance. They did a great job of recognizing and accommodating recreation use in the Kettle Cove area while looking out for their interests. I will talk about a couple of specific issues.*

*The traffic issues at Kettle Cove in the summer need to be addressed before it turns into another Two Lights/Lobster Shack traffic issue. This traffic issue degrades the recreational user experience, impacts the commercial fishermen's ability to get to and from work, and degrades the quality of life for nearby homeowners. Fix the traffic problem for one of these groups fixes it for all 3 groups. Recommending no increase the Kettle Cove parking, as stated in your draft report is a good start. I would be in favor of taking this further by removing some parking spaces at Kettle Cove if needed for commercial fisherman parking or safety vehicle access. Other ideas to consider are working with the State Park to:*

- 1) *Get all recreational visitors parking at Kettle Cove to pay.*
- 2) *Increase the fee at Kettle Cove to the same as Crescent Beach State Park if it is not already.*
- 3) *Increase the fee at Kettle Cove to greater than the fee at Crescent Beach State Park to entice visitors to the Crescent Beach parking area.*
- 4) *Only allow recreational parking at Kettle Cove with a Crescent Beach State Park entrance fee that can only be purchased at the Crescent Beach entrance booth, again enticing visitors to use the Crescent Beach parking area.*
- 5) *Only allow permit parking at Kettle Cove during the summer high use time.*

*I used the resident beach parking permit last year and feel this is a good solution for residents to access the Kettle Cove area. I recommend continuing this beach parking permit and including this in your report. I also support moving the beach vehicle access to the old less steep location for less ramp erosion and easier access for passenger vehicles.*

*Thank you for all your hard work maintaining ocean access while balancing the needs of resident recreational users, commercial fisherman, and tourists.*

- IA noted that the movement of the public access would preserve the recreational use of the area while separating the public from commercial users of Kettle Cove which he supports.
- The Committee thanked JM for his comments and encouraged him to submit the written version of his comments to SH for the record which he later did.

**Meeting Minutes:** The Amended September 28, 2017 Meeting Minutes were revised in the beginning introduction section of the minutes to note the participation of the State of Maine representatives Kurt Shoener and Gary Best. The amended minutes were approved as amended (3 Yes, 0 No, 1 absent, and 1 abstention - KR). The December 12, 2017 meeting minutes were then approved as written (4 Yes, 0 No, and 1 absent).

### **Review of the Letter to Town Boards and Committees**

- The Committee then discussed the Letter to Town Boards and Committees from Council Chair Jessica Sullivan and Town Manager Matt Sturgis which requested that various Town Boards and Committees meet with the Council and update them on their progress and goals. The letter also contained the reminders that the public has the right to know about deliberations and that duly appointed Committee members conduct the Committee's business with the public contributing during public comment periods when recognized by the Committee Chair.
- SH informed the group that he had spoken with Town Clerk Debra Lane who is the staff liaison to the Town Council and Town Manager Matt Sturgis about the potential need for the Harbors Committee to meet with the Council. Both felt that as an Ad Hoc Committee that was reaching the conclusion of their work that there was not a need to meet with the Council before issuing the final report and that the Committee's final report to the Council would serve as an update of the Committee's progress and a completion of their goals.

### **Discussion with Harbormaster Ian Anderson regarding mooring field mapping:**

- IA stated that his boat has been repaired and ready for use for the mooring mapping exercise. The boat is equipped with side scan sonar so submerged moorings will be readily noted. JC and NP offered to go on the mooring location trip. NP suggested bringing along a seasoned fisherman who is experienced with the Cape Elizabeth harbors. SC and KR stated that they would also try to attend.
- The group scheduled a date of January 25<sup>th</sup> at noon to meet at the Kettle Cove parking cove. As that will be during low tide, NP will transport the group from shore to IA's boat and the group will then locate moorings with IA's GPS equipment.
- The Committee directed SH to post this field trip on the Town website which was later done. IA stated that his boat can accommodate 11 people so if someone from the public wanted to join the group then they could do so.

### **Review of the 1<sup>st</sup> Draft of the Harbors Committee Report**

- The Committee was pleased with the progress of the first draft and noted that there would be more information that would need to be added such as the mooring mapping results.
- SC said that he liked the draft so far, but had a comment on the use of "ramp" to describe the public beach access as the word ramp implies that there is a physical structure and not just a gravel slope. The Committee discussed several phrasing options and arrived at "public access".
- SF asked if the Committee could recall the years that she was to request licensure information from her contact at the Maine Department of Marine Resources (DMR). SH noted that the minutes of a past meeting would reveal what was discussed earlier and he later provided SF that information in an email. SF stated that she would reach out to the DMR to get this information so that it could be dissected by the Committee and included in the report.
- SF noted that she would like the Committee to acknowledge the findings and conclusions of the June 2015 Sea Level Rise Vulnerability Assessment that was prepared for the Town of Cape Elizabeth by the Greater Portland Council of Governments (COG). This report was provided to the Committee in an earlier Harbors Committee meeting materials package. It was suggested by the Committee that the entire report could be added as an appendix. SH questioned where this information would appear in the Harbor Committee report. SH was also concerned that adding the entire Greater Portland COG report to the overall Harbors Committee report would result in an overwhelming volume of information given that the vulnerability assessment is extensive and already linked on the Town website.
- SF stated that this information would fit nicely under the "Other Items for Consideration" section. Others members of the Committee suggested that perhaps taking information from the executive summary of the Greater Portland COG assessment would suffice to bring attention to the findings of the vulnerability report to focus the Town Council in making future decisions with the effects of sea level rise in the mind. SF also thought that it is very

important to state that the Harbors Committee was mindful of effects of climate change on the Town's harbors and shoreline issues.

- SH showed the draft pie charts as prepared by JC of three of the four major questions that were in the public input survey. JC noted that these exhibits need to be refined to be included in the final report. SH and JC discussed the need to analyze Question 4 of the survey which asked why respondents based their level of importance of public access to the Cape Elizabeth shore. The question yielded 400 verbatim comments which is far too many for one person to analyze so JC suggested that he would come up with some general overall categories of the responses and then split up the 400 responses amongst the various Committee members to analyze and place each response into a category.
- The Committee then discussed the process in which this report would be provided to the Council. KR, as a recent former Councilor, was able to review the process to the group and noted that the Council typically receives the report from the Committee at a regular meeting. As a minimum, JC as the Committee Chair would be at the meeting to answer any questions and to provide input. KR felt it is often better for the entire Committee to be present at the Council meeting to enforce the appearance that the entire Committee was involved in the report preparation effort.
- SH noted that he had received comments from JC and would incorporate those comments into the draft. SH will continue the draft of the report and send the second draft out to the Committee for review and comment. He will also focus next on the Comprehensive Plan Marine Resources section now that the first draft of the overall Harbors Committee report has been prepared.

#### **Other Items not on the Agenda**

- There were no items raised at this time.

#### **Public Comment:**

- NP suggested that the Town issue different colored permit stickers for public and commercial users at Kettle Cove/Crescent Beach to distinguish which users should be allowed in the various areas. The Committee supported this concept and JC suggested that this recommendation be added into the other report recommendations.
- KR recalled that the existing public access to Crescent Beach off Kettle Cove Road was proposed by the Committee to be converted to pedestrian-use only along with the recommendation that the public access for boats and other marine equipment be moved to the historical public access point further to the north along Kettle Cove Road. SH believed that this recommendation was included in the first draft of the report, but would check and add this subject to the recommendations if not already proposed.
- The Committee noted that many of the residents that have corresponded with the Committee have complained of high traffic in the Kettle Cove area and the parking that occurs along Kettle Cove Road. Placing boulders closer to the pavement and discouraging parking directly off the pavement was noted as a way to alleviate these negative conditions. The Committee directed SH to include this item as a recommendation in the Harbors Committee report.

**Next Meeting:** The mooring mapping field session is set to occur at January 25, 2018 at noon at the Kettle Cove parking cove. The next Harbors Committee regular meeting will be held on Tuesday, February 6, 2018 at 6:15 P.M. in the Lower Conference Room at Town Hall.

**The meeting was adjourned at 7:10 p.m.**

Respectfully Submitted,  
Stephen D. Harding, P.E.  
Town Engineer

DRAFT