

Conservation Commission Meeting Minutes  
Tuesday December 14, 2010

Attendance: Commission members: Dick Bauman, Marti Blair, Judith Dooley, Michael Duddy, John Marchewka, John Plaininsek; Town Planner Maureen O'Meara; Town Council Liaison Jessica Sullivan. Absent, Dena DeSena, Chair

1. Meeting was called to order at 7:00 PM.
2. There were no citizen comments.
3. The Draft minutes of October 12, 2010 were reviewed and approved by the CC. The Draft minutes of November 9, 2010 were reviewed and approved by the CC.
4. Correspondence:  
Email from Richard Kepler will be reviewed below in section #5.  
Email from Town Clerk Debra Lane will be reviewed below in section #5.
5. Great Pond Storage Year-End Assessment.

M. O'Meara introduced Seth Sprague and John Greene of the Sprague Corporation. The Sprague Corporation owns the land on which the Great Pond boat storage racks sit. The Sprague Corporation granted a use easement for the Town, and is interested in the year-end assessment, the Conservation Commission's comments and concerns after this first year of boat storage, and whether or not any easement changes may need to be considered.

The email from Debra Lane concerning spare boat slots, definition of CE "resident", and a lottery system for permits was reviewed. The email from E. Kepler concerning a permit for next year was reviewed. The One Year Review Summary of Boat Storage at Great Pond from Maureen O'Meara was reviewed.

Due to increasing demand for boat storage slots, there have been recommendations to institute a lottery system. This would allow more residents an opportunity to obtain one of the boat storage slots. After discussion, the CC unanimously voted to use a lottery system for next year's boat storage slots. The lottery will be conducted by the Town Planner's office. Information will be posted on the Town's Website.

Six people had not removed their boats by the 12/06/10 deadline.

M. O'Meara sent letters to those individuals, and ultimately all boats were removed privately without involving the Public Works Department. There was discussion concerning incentives for timely boat removal at the season's end. The CC unanimously voted to recommend the following for failure to remove one's boat by the deadline.;

- 1) \$50 fine and 2) ineligibility for the following year's lottery. This policy information will be included in the agreement document signed by each boat owner.

The CC determined that Cape Elizabeth resident shall be defined as someone who has a Cape Elizabeth address, or who is a property owner in the town of Cape Elizabeth.

Due to high demand, there was discussion about the possibility of increasing the number of boat storage units and/or racks. Mike Duddy, who built the racks, thought that 2 more spare units could be utilized on the end of one of the existing racks. This would increase the number to 32 units. The Sprague Corporation representatives agreed to 2 spare units being created. Neither the CC or the Sprague Corporation felt that consideration of more boat storage racks should be proposed at this time. Additional storage racks may be considered after several more years, watching use trends, demand, boat owner stewardship of the area, etc.

In general, the boat rack users have been considerate and respectful of the Sprague Easement. Boat owners have been keeping the area clean and free of trash and debris this year. This was noted by John Greene and M. O'Meara.

Overall, the first year of Great Pond boat storage has been a success. The Sprague Corporation representatives were pleased with the care and respect given to their property by this year's boat owners. They see no need to alter their easement to the Town at this time.

6. No action required.

7. The November Trail Walk took place at Gull Crest. Sections were noted to be muddy. There was discussion about placing gravel on the trail, for about 125 feet on the non-marsh side. Noting high lunar tides, Mike Duddy suggested boardwalk, as tides may displace gravel. Discussion ensued on the possible need for DEP permits for gravel, perhaps on the CELT side of the trail. Dick Bauman noted that there is a damaged section of boardwalk behind Public Works. Ken Cyr may be consulted. M. O'Meara will look into rules and permits, and also communicate with the CELT, on whether to either:
  - 1) extend gravel field
  - 2) add boardwalk
  - 3) extend gravel to CELT side.

The next trail walk will be scheduled in the spring of 2011.

8. Mike Duddy was thanked by M. O'Meara and members of the CC for his nine years of dedicated service to the CC. M. O'Meara noted that Mike's direct contributions through the years involved guiding the CC's development into its' current status, as well as trail development, building boardwalks, boat storage racks and more. Mike has been appointed the Town's Tree Warden.

9. The meeting was adjourned at 8:08 PM.

Respectfully submitted,

Jessica Sullivan