

Conservation Committee Meeting Minutes
7:00 p.m. January 8, 2019
Town Hall Lower Level Conference Room

Present: Emily Helliesen Day, Zack Matzkin, Bruce Moore, Jim Tasse

Maureen O'Meara, staff

1. The first item of business was election of a committee chair. Ms. Day nominated Mr. Tasse, seconded by Mr. Moore and he was elected by a vote of 3-0-1 (Tasse abstaining).
2. Mr. Tasse welcomed the new committee members and opened the meeting to public comment of items not on the agenda.

Chris Schorn introduced himself as the new Stewardship manager for the Cape Elizabeth Land Trust (CELT). He is from Bowdoin and will be working 20 hours/week, Monday afternoon, Tuesday and Thursday. He will be the point of contact between the committee and CELT and will be bringing forward items in the future.

3. The minutes of the November 19, 2018 meeting were approved 4-0.
4. Dog Ordinance. Mr. Tasse introduced the Dog Ordinance and noted the biggest changes were the introduction of management categories for municipal property. Public comment was opened.

Sheila Wellehan, 24 Rocky Hill Rd - Where did the dog ordinance changes originate?

Mr. Tasse said the committee had discussed the Dog Ordinance at the November meeting and charged staff to draft amendments.

Jessie Timberlake, 29 Oakhurst Rd - She noted the signs at Gull Crest that say on leash dogs only and is that correct?

Mr. Tasse said that once you walk past the field, there is another sign that allows dogs off-leash.

Sheila Wellehan - She said it is confusing and all property should have signage. Communication should be part of the process and signs can be tasteful and low-key, include other information such as hunter rules.

Mr. Tasse agreed that signage could be better.

Jessie Timberlake - She also wanted to know if there will be a waste station installed at Town Farm.

Jeremy Gabrielson, 5 Rocky Knoll Rd - He noted that, in a casual conversation, he learned that the Cape Veterinary practice may be willing to sponsor a waste station.

Tony Owens, 19 Seaview Ave - There is a problem with dogs at Cliff House Beach. He hasn't reviewed the draft ordinance.

Sheila Wellehan - She wants the ordinance to handle dog waste removal.

The public comment period was closed.

In addition to the draft amendments, Ms. O'Meara displayed a first draft Property Management Category Spreadsheet that would need to accompany the 3 management category approach. This will need more review at the next meeting.

The committee reviewed the dog ordinance, with a focus on draft changes. Ms. O'Meara asked if the committee would like to add a blanket requirement that dogs be on leash in parking lots? The committee agreed and also wants to add back in on-leash requirements on town sidewalks and public roads.

The committee discussed dog waste. The Management plan allows for waste disposal on site in the woods and the current ordinance requires that dog waste be removed in locations where humans may come into contact with it. Mr. Tasse noted that leaving dog waste in plastic bags is not helpful. The committee does not expect dog owners to retrieve waste left deep in the woods, but overall would like waste removed. Staff will draft language for the committee to review at the next meeting.

Ms. O'Meara has distributed this first draft to the Police Chief, Town Clerk and Athletic Director and the Police Chief has forwarded comments. The committee would like the draft to be revised to incorporate the Police Chief's comments. The committee wants to coordinate with the Police Department to facilitate enforcement.

The committee discussed dangerous dogs. Ms. O'Meara asked if the committee would like to require that any responsible party that is with a

dog that has bitten someone on the greenbelt not be allowed on the in future unless the dog is on a leash. The committee reviewed the dangerous dog provision and would like advice from the town attorney on the latest state statute on dangerous dogs.

5. Cliff House Beach Management Plan. Ms. O'Meara introduced the item by reviewing the neighborhood concerns provided last spring, the efforts of the Conservation Committee to get interim dog rules in place last summer, and suggested the committee review the neighborhood survey results to decide what items to address.

Mr. Tasse said the committee has no authority over fires. Ms. O'Meara said that some management issues would need ordinance changes, but the committee could still provide a recommendation.

Ms. Day would like to get this done in time for summer 2019.

The public comment period was opened.

Chris Campbell, 598 Shore Rd - He likes the dog approach and would like the ordinance changes to include the categories for Cliff House Beach concurrently. Cliff House Beach needs a sign installed with the new rules, preferably by April.

Mr. Tasse confirmed that the categories would be assigned concurrently with the ordinance.

Chris Campbell - When we last discussed this, the neighborhood asked not to talk about fires because we are concerned it will draw attention to having a fire. We would support cooking fires only.

Tony Owens - He likes the Dog Ordinance organization and is optimistic that addressing dogs will also manage parking. He wants this done for spring, 2019. Neighbors suffer from smoke from fires and he prefers no fires.

John Pearson, 24 Elmwood Rd - He is concerned with how parking will be addressed.

Mr. Tasse explained that parking is regulated in the Traffic Ordinance. In response to Mr. Pearson's inquiries, Ms. O'Meara explained that anyone can request an ordinance change through the Town Council. It was noted however, that neighbors often resist parking restrictions.

The public comment period was closed.

After reviewing last year's communications from the neighborhood representatives, the committee agreed to prioritize dogs and fires. The Dog Ordinance amendments should address dog concerns.

Regarding fires, the committee noted that the town already has fire restrictions. Mr. Matzkin asked about open burning? You can burn with a permit, and the permit can be issued if winds are less than 10 mph.

Tony Owens - He wants to ban fires.

John Pearson - He would like to continue to have a cooking fire.

Mr. Tasse said the committee would consider fires at the next meeting. Mr. Moore asked about beach fires at Fort Williams and the small habachi grills were referenced and Fort Williams closes at sunset.

The committee completed review of the neighborhood survey and agreed to discuss management at the next meeting when more members are present.

6. Greenbelt management.

Loveitt Woods trail. Tim Gilda, 35 Reef Rd, is an eagle scout candidate who met with Mr. Gabrielson to propose improvements to the existing trail at Loveitt Woods. He showed a presentation with pictures of boardwalks to be repaired and replaced. The committee discussed the benefits of 3" x 10' boards versus 2" x 10' boards. 3" are heavier and more expensive, but may last longer. The 2" are more widely available and have been used extensively on the greenbelt, as well as lighter and less expensive. The committee agreed that 2" boards are acceptable.

Mr. Moore would like to avoid bounce in the boardwalks and Mr. Tasse recommended using 4 4" x 4" sleepers per 10' length of boardwalk. Mr. Moore complimented the CELT boardwalk off Sawyer Rd and Mr. Tasse noted the town boardwalk on the Cottage Brook open space off Spurwink Ave. Mrs. Day asked about permitting and Ms. O'Meara explained that she and the Town Engineer have walked Loveitt Woods. The proposed amount of work does not require permitting, but new boardwalk such as proposed in Cross Hill does need permitting.

Mr. Tasse asked when he wants to start and Mr. Gilda said in the next 2 months/spring. Mrs. Day asked about funding. Mr. Tasse noted the \$250 NEMBA (New England Mountain Biking Association) donation to the town. Ms. O'Meara confirmed that no other committee funding is available until July 1st. The committee did agree to ask eagle scouts to match 50% funding and Mr. Tasse had suggestions for possible donors. Mr. Tasse summarized all boardwalk would be 3 board wide, supported by 4" x 4" sleepers spread every 3' to 4'. Mr. Gilda will prepare a materials list and work on funding. Mrs. Day will approach NEMBA for funding.

The item was opened to public comment.

Tony Owens - The Conservation Committee should think more about environmental protection and not install trails in all wetlands. He is concerned with wetland protection.

Stonegate trails. Jim Kerney, 1015 Shore Rd, is approaching the Conservation Committee for assistance and an offer to help with two trail improvements, 50' and 20'-30'. The trails are in the area behind the Kerney and Roy homes. The committee reviewed maps to determine if wetlands are involved, which is likely. If so, permitting will need to be obtained prior to any construction. Mr. Tasse agreed to add this to the committee work list. Ms. O'Meara will schedule a site visit with Mr. Kerney and CEO Ben McDougal to assess wetland presence.

Pollack Brook bridge. Ms. O'Meara is pleased to report the bridge has been installed. Permitting for the remaining trail has also been obtained. The committee agreed to look for help with installing the trail to the Spurwink River.

7. Budget. The committee asked staff to prepare a draft budget for review at the February meeting. Committee members will think about project priorities. Additional CIP funding (\$10,000) has been requested for the Spurwink Bridge and boardwalk redecking in order to replace with the thicker composite decking. The committee will discuss this next month.
8. Next meeting. The committee agreed to include the following on the February 12th meeting agenda.
 - Dog Ordinance
 - Cliff House Beach Management Plan
 - Budget
 - Youth Conservation Corps concept

- Easement monitoring

Cindy Krum, Executive Director of CELT referenced regulations that once easement violations are reported, they must be responded to in 60 days.