

Conservation Committee Meeting Minutes
7:00 p.m. May 8, 2018

Present: Jeremy Gabrielson, Chair, Marti Blair, Mark Fleming, Robert Petitt,
Mitch Wacksman

Maureen O'Meara, staff

1. Mr. Gabrielson opened the meeting at 7:04 p.m. No members of the public wished to speak about items not on the agenda.
2. The minutes were approved 4-0.
3. Cliff House Beach. Mr. Gabrielson thanked the neighborhood for collecting information related to potential interim management rules of Cliff House Beach. Depending on what is recommended, there may be a need for Town Council action. He invited the neighborhood representatives to present their findings.

Chris Campbell, 598 Shore Rd, collaborated with neighbors to put together an online survey to collect input. They received 67 responses, which is more than 10% of the survey announcements mailed out the area around the beach. [The survey announcement was mailed to the same 500+ residents who received the forum announcement for tonight's meeting].

Chris summarized the survey responses of the "quietwater.com/survey" domain.

- Streets. Responses from residents living on 23 different streets were received.
- Frequency. Most respondents are visiting the beach at least 2-4 times a week.
- When. 87% visit between sunrise and sunset, but there are visitors at night.
- Capacity. Most are concerned with overuse of the beach. It is no longer primarily a neighborhood beach and its small size makes it challenging to accommodate added visitors.
- Activities/behaviors: 67% are concerned, mostly with dogs and dog waste; 32% are not concerned with use of the beach.
- Vehicles. 77% are somewhat or more concerned. Comments noted the narrowness of the road, the lack of a turnaround, and speed of vehicles turning from Shore Rd.

- Dogs leashed. 47% are very concerned with dog use of the beach, with comments that the beach is overrun by dogs, often not restrained by dog owner. There is support for changes to the Dog ordinance and also compromise. The neighborhood representatives are advocating for rules similar to Willard Beach.
- Hours used. Most are not concerned with the hours the beach is used.
- Bonfires. 35% are not concerned at all. Small cooking fires are acceptable, and fires should be appropriately tended to minimize smoke and debris.

Mr. Fleming noted that some of the aggregations of responses as strongly concerned, concerned, and somewhat concerned may more appropriately just aggregated as strongly concerned and concerned. It was agreed that could be done. All agreed the survey provided valuable information.

Wyman Briggs, 3 Mountain View Rd, also representing the neighborhood, then presented recommendations for interim management measures. The recommendations were developed by a group of 3 plus Tom Meyers, who is out of town and unable to be here. The recommendations are based on the "strongly supported" survey responses.

Cliff House Beach Interim Management Plan Neighborhood Input for Conservation Committee Consideration

1. Dogs Interfering with people's enjoyment of the beach

Concerns

- a. Dogs run up and frighten or disturb young kids or others who are afraid of dogs
- b. Dog waste not always cleaned-up/removed
- c. Barking or running dogs are generally disruptive

Potential Management Measures

- a. Implement restrictions similar to those at Willard Beach including NO DOGS at the beach after 9am from May 1 - October 1. Dogs permitted off the leash under voice control from 6am - 9am during the summer and daylight hours during the off season
- b. Enforce current Leash Law requirement at the beach

2. Increased number of cars parking on Glenn Ave and Sea View for beach users

Concerns

- a. Increased traffic a concern for local neighborhood kids crossing the street or riding bikes

Potential Management Measures

- a. Post NO BEACH PARKING signs
- b. Issue and enforce permits for parking on Sea View and Glenn Avenue

3. Increasing number of beach users from beyond the neighborhood.

Concerns

- a. Increasing number of users (up to 50+) has made the beach lose its neighborhood feel

Potential Management Measures

- a. Limit non-resident parking availability on Sea View and Glenn Avenue

4. Beach Fires

Concerns

- a. Beach fires can cause irritating smoke and leave a mess behind

Potential Management Measures

- a. Include requirement to obtain a fire permit prior to making a fire on beach signage

- b. Require fires to be made below the high tide mark and for permit holders to keep a bucket of water and shovel on hand to safely put the fire out.

Implementation:

- a. Post small sign at tops of stairs to the beach outlining rules and restrictions
- b. Provide update to Cape Elizabeth Police on existing rules and guidance for enforcement

The Conservation Committee asked about its authority. Ms. O'Meara said that any regulation on town roads would require Town Council approval of ordinance changes. Captain Sinclair, who was asked to attend from the Police Department, noted that there are no reports on file for dog complaints on Cliff House Beach. On August 2nd, there was one parking violation. Ms. Blair asked about the speed limit and it is 25 mph, and probably there is no sign. Mr. Wacksman asked about the length of the process to change parking rules. Ms. O'Meara said that would likely be referred to the Ordinance Committee, and a public hearing would need to be held by the Town Council. It is unlikely the process could be completed before summer.

The Conservation Committee then opened up a public comment period.

Tom Ward, 611 Shore Rd - He supports requiring dogs to be on leash because otherwise they are not under control.

Mary Gray, 11 Glen Ave - She asked if the purpose of parking rules is to keep numbers of people visiting the beach down. Mr. Briggs responded that the recommendations are interim and could be revisited after this summer. She wondered if issues with dogs and other problems would not happen if there were fewer visitors.

Peter Anderson, 45 Forest Rd - He wanted to know who prepared the survey and questioned the domain name quietwater. Chris Campbell said it was his domain and he offered it when they decided to do an online survey.

Mr. Gabrielson said the survey was now part of the public record.

Karen Bauer, 11 Glen Ave - She asked if 25 mph is a responsible speed. Even the mail carrier turns from Shore Rd to Glen at a speed she finds excessive.

Tom Ward - He does not visit the beach anymore because of the dogs, which are all off leash. It is a fantasy that dogs are under control off leash.

Harvey Rosenfeld, 9 Glen Ave - Speeding is an issue. Drivers are accelerating down the hill. There is no sidewalk and blind corners and people walk in the road.

Tom Mikulka, 4 Mountain View Rd - He thanked the neighbors for putting together the survey and he did comment. The proposals reflect the comments from the survey. Beach goers can't ask folks to control their dogs when there is no leash requirement. You can't eat a meal at the beach in the evening because you have to defend your food.

Bud Elliot, 1 Baker Rd - He grew up on the beach. Can residents put up their own signs to regulate parking? Staff advised no.

Mary Gray - She confirmed that if no speed limit sign is posted, then the default speed limit is 25 mph. Are there slower speed limits? Captain Sinclair noted 15 mph in school zones and on posted private roads. She requested that the police test drive 25 mph.

The public comment period ended. Attendees were provided 3 dot stickers and asked to "vote" for suggested recommendations. The votes were tallied as follows:

1. A beach sign should be installed that specifies rules for dogs, for keeping the beach clean and for starting fires (26-0 votes).
2. New dog rules should be adopted that no dogs are allowed on the beach after 9:00 a.m. from May 1-October 1. When dogs are on the beach, they must be under control (voice or leash). Dogs are allowed on the beach from 6:00 a.m. -9:00 a.m., from May 1st to October 1st, and all hours off season. (23-5 votes).
3. Speed limit should be reduced to less than 25 mph on Sea View Ave and Glen Ave (22-1 votes).
4. Beach fires should continue to require a permit (22 votes).

5. There should be prohibition on beach parking (22 votes).
6. Parking should only be allowed with a transfer station sticker (14 votes).
7. There should be no change to on-street parking (1 vote). There were no votes for the recommendation that residents provide an update on parking/call the Police or for more research on parking solutions.

The committee discussed the voting and comments. Ms. Blair could support dog rules for the summer but is hesitant to limit parking as this is a public beach.

There was general agreement by the committee and the public that mentioning beach fires could increase the number started, so no reference to beach fires should be on the sign. More information is needed on if/when a permit is needed from the Fire Department for a beach fire or cooking fire.

The committee discussed a sign that dog waste should be picked up and the beach be kept clean. Mr. Wacksman speculated that on street parking of Sea View Ave allow for adequate emergency vehicle access, but it would be tight on Glen Ave. Ms. O'Meara referenced existing road rules that, as long as a 10' -12' gap exists, the road is considered passable for emergency vehicles. Mr. Gabrielson concurred with Ms. Blair.

There was discussion of speed limit. Mr. Orcutt (5 Sea View Ave) and Mr. Rosenfeld (9 Glen Ave) would not object to a speed limit sign installed in front of their property, but members of the public want the speed limit reduced. The Conservation Committee made no recommendation on speed limit.

Mr. Gabrielson thanked the community for their participation. The Conservation Committee will review a draft recommendation at the June 12th meeting.

4. Greenbelt trails. Ms. O'Meara updated the committee that a DEP permit will be needed for the Cross Hill boardwalk. She also reported on communication from Tom Klingebiel who owns the lot to the south of the Tiger Lily terminus. He wants the greenbelt trail relocated off his

property. The Conservation Committee will work with the homeowner to relocate the trail access onto town land.

Trail improvements and boardwalks in Stonegate are also proposed. Staff will determine permitting required.

Pollack Brook progress reported. Committee members are available to meet May 15th or 16th to field locate trail with assistance from surveyor.

Winnick Woods improvements are scheduled for the end of June. Due to this being a pilot project and limited availability of student workers, the committee agreed to leave the schedule of late June in place.

Mr. Fleming reported that he accompanied CELT on easement monitoring in Cross Hill. It is an exhaustive process and a list of items to address will be sent to the town. The committee briefly questioned if the town should use a more vigorous process to monitor its easements. The committee agreed that, due to work already underway, the Conservation Committee would review the monitoring report in September. Further work on a process can be hammered out over the winter.

5. The committee adjourned at 9:05 p.m.