

# Town of Cape Elizabeth Harbors Committee Report



April 30, 2018

Prepared by the

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*Photographs provided by James Casey  
Cover photos include Trundy Point (top), Seal Cove (lower left), and Fort  
Williams Park (lower right)*

# Table of Contents

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<u>Narrative:</u>		<u>Page</u>
Section 1.0	Comprehensive Executive Summary	5
Section 2.0	Introduction	7
2.1	Committee Charges	7
2.2	The Committee Process	7
Section 3.0	Coastal Waters and Harbor Ordinance Review	9
Section 4.0	Kettle Cove/Crescent Beach State Park Area Assessment	11
4.1	The Current Situation	11
4.2	The State of Maine Perspective	13
4.3	Potential Solutions	14
4.4	Recommendations	15
Section 5.0	Moorings Map Update	17
Section 6.0	Public Water Access Inventory	19
6.1	Federal Properties	21
6.2	State of Maine Properties	21
6.3	Cape Elizabeth Land Trust Properties	22
6.4	Town of Cape Elizabeth Properties	22
6.5	High Value Plant and Animal Habitats	24
Section 7.0	Public Survey Results	26
7.1	Introduction	26
7.2	Overview	26
7.3	Public Access Importance	27
7.4	Usage and Activities	28
7.5	Possible Shoreline Access Improvements	29
7.6	Demographics	30
7.7	Communication	31
Section 8.0	Comprehensive Plan - Draft Marine Resources Section	32
Section 9.0	Other Related Matters Consideration	34
Section 10.0	Summary and Conclusions	36

Appendix:

- Attachment A Tracked changes Word document with recommended changes to Chapter 10 – COASTAL WATERS and HARBOR ORDINANCE
- Attachment B Cape Elizabeth Fishermen's Alliance November 2017 Recommendations for the Town of Cape Elizabeth
- Attachment C Cape Elizabeth Shoreline Access Survey Results
- Attachment D Correspondence
- Attachment E Kettle Cove & Crescent Beach Deed Information
- Attachment F Maine Municipal Harbor Management: Case Studies in Adaptive Resource Management
- Attachment G Comprehensive Plan - Draft Marine Resources Section



## 1.0 Comprehensive Executive Summary:

### *Harbors Committee Recommendations:*

- *Accept recommended changes to the Town's Coastal Waters and Harbor Ordinance (Section 3.0, Page 9).*
- *Resolve Kettle Cove/Crescent Beach area access and circulation issues and implement other related changes (Section 4.4, Page 15).*
- *Complete the mooring mapping update process, revise the Town's website mooring section to be reflect current conditions, and continue to support a professional Harbormaster position (Section 5.0, Page 17).*
- *Maintain and improve upon places of public water access (Section 6.0, Page 19).*
- *Maintain a working waterfront by providing a balance between commercial and recreational uses (Section 8.0, Page 32).*
- *Take actions to mitigate adverse sea level rise consequences. (Section 9.0, Page 34).*
- *Conduct a comprehensive review of the Town's marine resources and its management on a time frame not to exceed a 10-year duration. (Section 10.0, Page 36).*

### *Harbors Committee Charges:*

*At the behest of the Town Council through assigned charges, the Harbors Committee has conducted a comprehensive review of issues related to Cape Elizabeth's shoreline and harbors. The Committee, in concert with the Town Harbormaster, completed its first charge by reviewing the Town's Coastal Waters and Harbor Ordinance and recommending a modest number of changes.*

*To complete another charge, the Committee was assisted by Town Staff, the Cape Elizabeth Fishermen's Alliance, State of Maine representatives, and neighborhood residents to develop a list of recommendations for the betterment of the Kettle Cove/Crescent Beach State Park area. Paramount within the recommendations is to relocate the public access area to a nearby location that had been used in the past. While improving the public access, the existing recreational boat launch ramp can then be repurposed to pedestrian-only beach access.*

*By making these changes and supporting the State of Maine's efforts to encourage non-commercial users of the beach area to utilize the nearby Crescent Beach parking lot, pressures related to the primary Boat Cove launch in the Kettle Cove State Park area can be relieved and its use refocused exclusively for the local commercial fishing fleet and the Town's WETeam. Other recommendations presented by the Committee in relation to the Crescent Beach/Kettle Cove area involve steps to implement the public beach access changes, document access rights with the State of Maine, and make other related improvements to the area.*

*To address a charge related to the updating of mooring maps, the Committee has coordinated with the Town Harbormaster. The Harbormaster was able to partially complete this task by conducting this mapping exercise in the waters off the southern coast line of Cape Elizabeth, however winter conditions and the removal of mooring balls for the season, prevented the Harbormaster from completing this task along the eastern shore. The Committee strongly*

*recommends that the Harbormaster complete the mapping exercise in the summer of 2018 so that the Town's GIS consultant can create current maps of mooring locations which should be checked against existing mooring maps to identify moorings that are no longer active or incorrectly mapped. The mooring section and maps on the Town's website should then be updated and kept current with accurate information so that the public can readily access reliable mooring data.*

*The Committee also underwent an inventory of public water access by visiting the shoreline and conducting a public shoreline access survey to gauge the public's perception of the coastal access within Cape Elizabeth and receive input as to what improvements should be considered. The results of the inventory has been provided based on entity in control of the access which are distributed between the federal government, the State of Maine, the Cape Elizabeth Land Trust, and the Town of Cape Elizabeth. Although public access to the ocean is somewhat limited, the results of the public opinion survey strongly indicates that the residents consider coastal access very important and essential to the character of Cape Elizabeth.*

*Finally to complete its last charge, the Committee has coordinated with the Town Planner and conducted research and reviewed relevant matters to develop a draft Marine Resource Section of the Comprehensive Plan to assist the Comprehensive Plan Committee. This information has been compiled in a narrative draft section format and provided to the Comprehensive Plan Committee for its consideration. The Harbors Committee anticipates that the Comprehensive Plan Committee will review this information and then revise it accordingly into the overall Comprehensive Plan report.*

*The Committee strongly recommends that the Town continue to study its coastline at intervals not exceeding ten years and take appropriate steps to meet the changing challenges. The Town Council should also undertake any shoreline decision making efforts by factoring the future effects of climate change and resulting sea level rise.*

*The last extensive review of the Town's harbors was undertaken almost 30 years ago and this current study often builds upon that past work and revisits many of the issues that were examined back in 1988. The Committee has been pleased to undertake this effort on behalf of the Town Council and trusts that this information will assist the Town in future actions related to the Town's coastal resources and opportunities.*

## **2.0 Introduction:**

### **2.1 Committee Charges:**

The Harbors Committee is an Ad Hoc Committee created by the Town Council with the purpose to conduct a review of issues related to Cape Elizabeth's shoreline and harbors to determine how the Town's coastal resources are serving commercial fishing and aquaculture industries as well recreational boating and other public activities needs. In doing so, the Council directed the Committee to review issues related to the following charges:

- Review the Town's Coastal Waters and Harbor Ordinance and recommend any changes it deems desirable to the Town Council.
- Meet with state officials to determine options for boat access in the Kettle Cove/Crescent Beach State Park area and develop a long-range plan for access.
- Update the maps utilized by the Harbormaster showing potential locations for moorings.
- Inventory public water access.
- Assist the Comprehensive Plan Committee with the marine resources section of the Comprehensive Plan.
- Consider such other related matters as the Town Council may request.

*In 1988, the Town's Harbors Advisory Committee published a September 1, 1988 Report which documented its efforts in studying various issues related to the Town's coastal resources. The Harbors Committee developed the preliminary version of current Coastal Waters and Harbor Ordinance that was later adopted and also studied issues related to the management of the Kettle Cove area, mooring locations and planning, and future public boat launch locations as well as a variety of other harbors related issues.*

Since the 1988 Harbors Advisory Committee report was finalized, no other comprehensive analysis of the Town coastline resources has been undertaken. Seeing a need for a new assessment of these resources, the Town Council created the Ad Hoc Harbors Committee for the purpose of providing an updated review of issues related to the Town's shoreline and harbors issues.

### **2.2 The Committee Process:**

The Harbors Committee has been meeting regularly since February 2, 2017 in public meeting forums and conducted a land based field review of public coastal access points. The Committee has received input, technical expertise, and guidance from a variety of stakeholders as well as Town Staff and State representatives. The Committee has received several emails and direct comments from private citizens with a focus near the Crescent Beach/Kettle Cove area which generates a higher rate of impact to area residents due to the many ongoing and, often conflicting, activities in that neighborhood. Copies of this correspondence as well as other documents that the Committee received from various sources is included in the appendix section of this report as Attachment D.

In order to gauge interest and receive public input from users of the Cape Elizabeth shoreline, the Committee conducted an on-line public survey through Survey Monkey which raised several questions regarding the various activities being conducted along the shoreline and their importance to the respondents of the survey. The survey also asked for opinions on

various topics associated with the Town's coastal resources and ways in which they may be improved. The survey's findings are discussed within the context of Section 7 (Page 26) of this report and the full results of the survey are included within appendix section of this report as Attachment C.

The Cape Elizabeth Fishermen's Alliance (CEFA), which is a consortium of local commercial fishermen and aquaculturists, has participated in the meetings, routinely providing testimony and insight into activities and interests associated with Cape Elizabeth's commercial fishing fleet. In addition, CEFA also provided the Committee with their November 2017 "Recommendations for the Town of Cape Elizabeth" document which outlines recommendations that CEFA would like to have implemented by the Town. This document is discussed within the context of Section 4 (Page 11) of this report and CEFA's recommendations document is included within the appendix section of this report as Attachment B.

With the assistance of Town Manager Matthew Sturgis, the Committee also has communicated with representatives of the Maine Department of Agriculture, Conservation, and Forestry's Bureau of Parks and Lands. Kurt Shoener, who is the Manager of Crescent Beach, Two Lights, and Kettle Cove State Parks, and Gary Best, who is the Acting Regional Manager, have participated in two meetings with the Committee to share their insight into the State's programs and direction related to the Crescent Beach/Kettle Cove area.

The Committee has been served on an ongoing basis by Town Engineer, Stephen Harding, acting as the Committee's Town Staff liaison. In addition, Town Manager Matthew Sturgis and the Town Harbormaster Ian Anderson have been frequent participants in Committee meetings and have made valuable contributions to the process. Town Planner Maureen O'Meara and Police Chief Neil Williams have also attended specific Committee meetings to provide their expertise and knowledge into the local coastal issues.

In addition, the Town's Webmaster, Wendy Derzawiec, has been instrumental in the posting of information related to the Harbors Committee's work on the Town website to ensure the timely distribution of information to the public, and the Town Clerk, Debra Lane, has provided valuable administrative guidance to ensure that the Committee operated transparently.

Finally, using its connections within the State of Maine Department of Marine Resources the Committee was able to receive recent local licensure data for Cape Elizabeth resident fishermen which allowed for an analysis of trends to be established for commercial fishing activities in comparison to data from the 2005 period which was included in the Town's 2007 Comprehensive Plan report.

Using the information gathered, the Committee has been able to address each charge that was presented to it by the Town Council and has worked with the Town Harbormaster to begin to provide an updated mapping of mooring locations. The following report has been organized by Council charge and outlines the Harbors Committee's findings and recommendations to the Council.

### 3.0 Coastal Waters and Harbor Ordinance Review:



*Maiden Cove*

*Charge Item Executive Summary: The Harbors Committee has accomplished this Council charge by engaging the Town Harbormaster, CEFA, and the public. Although the Committee considered a wide-range of possible changes, the final list of recommended changes is specific and limited. To complete their work on this charge item, the Harbors Committee has already sent the proposed changes to the Cape Elizabeth Ordinance Committee for further evaluation. The Ordinance Committee will ultimately*

*forward their recommendations to the Town Council for consideration and possible implementation.*

One of the charges given to the Committee was to review the Town’s Coastal Waters and Harbor Ordinance and recommend any changes it deems desirable to the Town Council. To accomplish that charge, the Harbors Committee actively engaged in the ordinance chapter review with the Cape Elizabeth Harbor Master, Ian Anderson, and also received input from the Cape Elizabeth Fishermen’s Alliance as well as several Cape Elizabeth residents. In addition, the Committee also had the opportunity to review these proposed changes and the process within which the changes would be considered with Town Planner Maureen O’Meara.

Based on this review process, the Committee prepared a tracked changes Word document regarding potential Ordinance changes to “Chapter 10 – COASTAL WATERS and HARBOR ORDINANCE”. This document has been included within the appendix section of this report as Attachment A. While the Committee considered a wide range of potential changes to the Ordinance language, the following fairly modest specific revisions have been recommended to be implemented by the Harbors Committee:

1. Under Article I, Section 10-1-2 (a), change “black can buoy ‘C-1’” to “can buoy ‘C-1’” as the buoy has been painted green. The Committee has determined that the reference to the color of buoy should be deleted as the buoy may get repainted to another color in the future.
2. Under Article II, Sections 10-2-1(i) Definitions, add a definition for “Houseboat”. The definition for a houseboat was proposed in consultation with the Harbormaster based on his experiences in other municipalities. There is currently not a houseboat issue in Cape Elizabeth, however, the Committee and the Harbormaster determined that in adding the definition at this time that future potential issues associated with houseboats could be mitigated before becoming a problem for the community.
3. Under Article II, Sections 10-2-1 (l) Definitions, add a definition for “Outhaul”. The need for a definition for outhaul arose from a citizen comment received by the Committee and follow up consultation with the Harbormaster. The new definition will aid in the resolution of any future potential issues with an outhaul.

4. Under Article IV, Section 10-4-1, eliminate the word “extreme” in the phrase “extreme emergency”. In the Committee’s opinion, the existing Article II definition of the word “emergency” is sufficient on its own and does not need to be qualified. The word “extreme” unnecessarily qualifies an emergency level and adds subjectivity to the description of what constitutes an emergency situation.
5. Under Article V, Section 10-5-16, add provisions and requirements associated with houseboats to regulate their use in the community. As noted previously while there are no current issues with houseboats in Cape Elizabeth, this added section will mitigate future potential issues that may arise with houseboats as has occurred with houseboats in other southern Maine communities.
6. Under Article V, Section 10-5-17, add limits to the size of vessels covered by the outhaul provisions and requirements associated with an outhaul. The inclusion of this section will assist the Harbor Master to effectively respond to outhaul related issues as they may arise.

In a December 13, 2017 memorandum to the Town Manager, the Committee provided these recommendations to the Cape Elizabeth Ordinance Committee for their review and further action. It is understood that the Ordinance Committee will ultimately send their recommendations to the Town Council for the Council’s consideration and possible implementation.

#### **4.0 Kettle Cove/Crescent Beach State Park Area Assessment:**

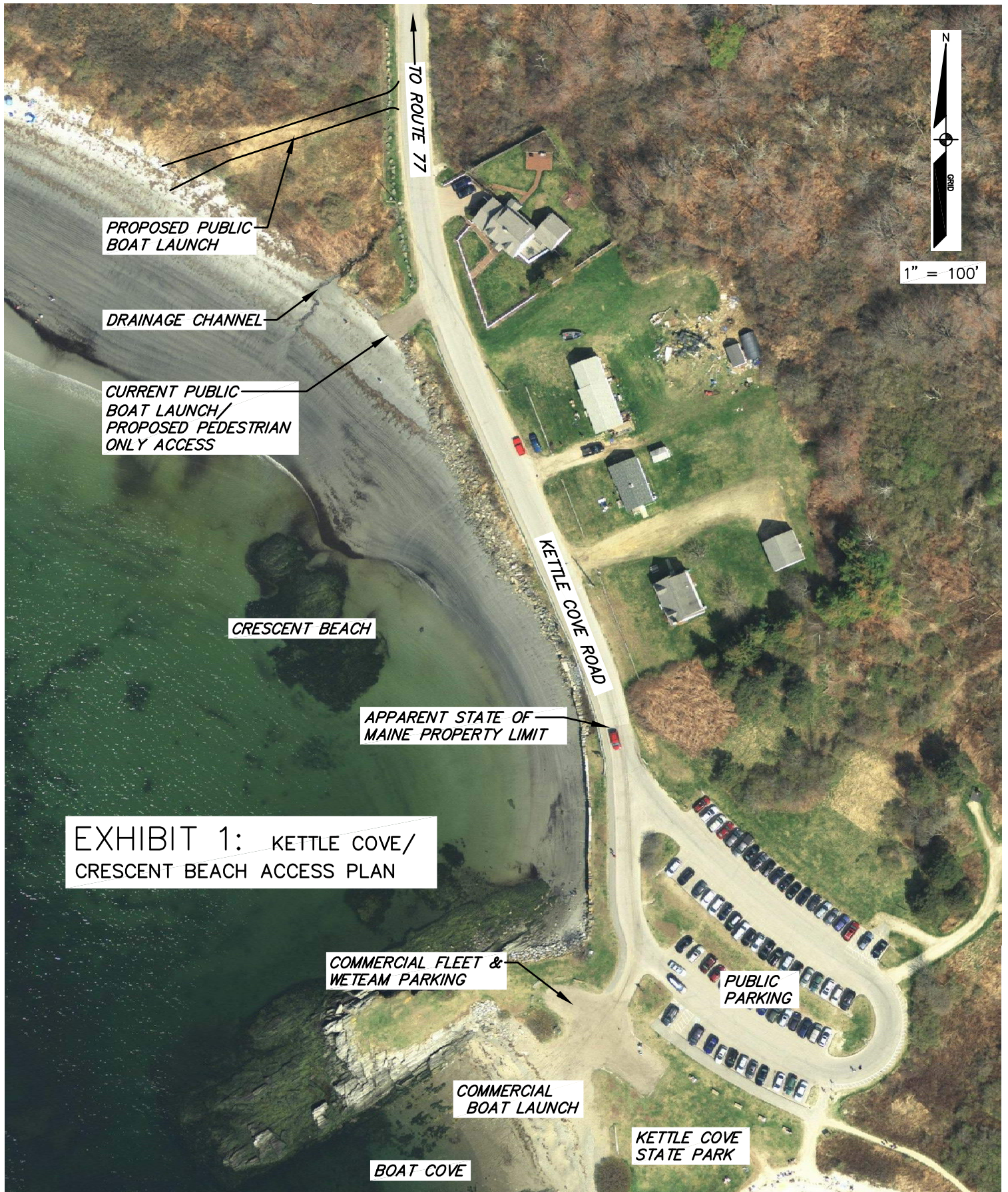
*Charge Item Executive Summary: The Committee has accomplished this charge in consultation with the Town Harbormaster and Police Chief, the Cape Elizabeth Fishermen's Alliance, neighborhood residents, and local park representatives of the State of Maine. The conclusion of our work resulted in eight recommendations to the Council which range from the relocation of the existing public access to a historical boat launch area and the necessary steps to complete the relocation, the repurposing of the existing public boat launch area to pedestrian only access, improving signage in the area overall, and securing easements for the exclusive use of Boat Cove by the commercial fishing fleet and the Town WETeam. The recommendations also include building upon the current collaborative efforts with the State and documenting future interactions and agreements in writing for posterity.*

##### **4.1 The Current Situation**

The Kettle Cove/Crescent Beach area is the one coastline area within Cape Elizabeth that currently needs solutions as it represents an ongoing challenge of varying commercial and recreational uses, State and local jurisdictional boundaries and responsibilities, and often conflicting neighborhood interests. These challenges are compounded by the natural conditions and physical space limitations of the area as well as the overall popularity of the area among its users, particularly during the summer months.

*Please refer to the following Exhibit 1, Kettle Cove/Crescent Beach Access Plan, which depicts the existing conditions of the Kettle Cove area and proposed improvements.*





**EXHIBIT 1: KETTLE COVE/  
CRESCENT BEACH ACCESS PLAN**



One of the main issues is the limited area available for commercial fishermen to use the boat launch area of Boat Cove which is within the Kettle Cove property controlled by the State of Maine. While the State prioritizes the exclusive use of this boat launch area to the commercial fleet and the Town's WETeam, recreational users sometimes encroach upon this area which creates operational and safety issues diminishing the functional ability of the intended users of the launch to effectively use this area.

The Commercial fleet relies on this launch area to gain access to the ocean to not only launch boats, but also to transfer gear and bring in their catch to transport to markets. While limited use of the nearby sandy beach area of Kettle Cove is sometimes made by commercial fishermen at non-peak periods of recreational use of the beach, these instances are rare and the nearby beach is not a suitable reliable option for the commercial fleet.

Likewise, the Town of Cape Elizabeth WETeam relies on Boat Cove as its only suitable launch site in Cape Elizabeth. While the WETeam can use the nearby sandy beach area of Kettle Cove under ideal situations due to limitations often created by tide and surf conditions, the Boat Cove launch site is the only reliable area for the WETeam's use. The limited parking area of Boat Cove along with its limited suitable launch area further exacerbate any recreational use of these facilities.

Another issue related to the Kettle Cove/Crescent Beach area is the conditions related to the launch area promoted for the public. This public access is currently located along a narrow gap between two portions of the Crescent Beach landholdings by the State of Maine. It is located to the north of the State's Kettle Cove Parking Lot and is accessed by a gap in the boulders which line the west side of Kettle Cove Road. The Town currently employs a resident permit system to allow for the public use of the vehicle beach access.

The relatively steep public use ramp is maintained by the Town and often requires the replacement of gravel caused by the loss of material to wave action due to the ramp's open exposure to the ocean. The launch's proximity to residences across Kettle Cove Road often creates conflicts with the neighborhood residents when users prolong the unloading of equipment and the launching of recreational crafts or use the launch area inappropriately.

Further, an open drainage course which crosses the beach area nearby to the northwest of the launch site often temporarily erodes a channel which cannot be passed over by most recreational vehicles. This situation creates a very restricted area near the launch site for users and prevents the access of the much wider and protected sections of Crescent Beach to the west.

#### 4.2 The State of Maine Perspective:

During the course of the Harbors Committee's work, the Committee and Town Manager Matt Sturgis have enjoyed an ongoing positive discussion of the Kettle Cove/Crescent Beach area issues with Kurt Shoener and Gary Best of the Maine Department of Agriculture, Conservation, and Forestry's Bureau of Parks and Lands. Mr. Shoener manages Kettle Cove, Crescent Beach, and Two Lights State Parks which are close in

proximity, but have very divergent needs and uses. Mr. Best is the Acting Regional Manager who works closely with Mr. Shoener and has been involved at the Cape Elizabeth parks for a long period of time. At one meeting, the Committee also met with Town of Cape Elizabeth Police Chief Neil Williams and the State representatives to discuss State/local jurisdictional and cooperative efforts.



*Kettle Cove Beach*

During the discussions, it was noted that it is the State's preference for people if they want access to Crescent Beach or the areas around Kettle Cove State Park to park at Crescent Beach State Park parking lot which is less than a two mile drive from Kettle Cove parking lot. The State is also now actively directing organized groups that want to access Crescent Beach or the areas around Kettle Cove State Park to go to Crescent Beach, where there is ample parking, rather than contribute to the congestion at Kettle Cove. In doing so, the access to the non-commercial users of Crescent Beach will be reduced to allow the commercial users more exclusive use of Boat Cove.

The State representatives also described the State's overall guiding document of an Integrated Resource Policy for all State parks. This policy focuses on the preservation of the human experience of the parks that they operate as well as promotes the obligation to protect wildlife and their natural habitat from human intervention. For the Kettle Cove State Park, the New England Cottontail and the federally protected Piping Plover species are prioritized and the State is actively pursuing a grasslands policy in the park to protect species that rely on that environment. Therefore, despite the appearance of ample land to do so, the State is not planning on expanding the parking lot capacity at Kettle Cove to promote more convenient visitor use.

Copies of both the Kettle Cove State Park deed and the Crescent Beach State Park deed as provided by Mr. Best are included in the appendix section of this report as Attachment E.

#### 4.3 Potential Solutions:

The Cape Elizabeth Fishermen's Alliance (CEFA) and residents of the Town have proposed a relocation of the existing Town public beach access to a historical boat launching area further to the northwest off of Kettle Cove Road. The use of the boat launch was curtailed many years ago due to its improper activities and access to the area is currently restricted by a series of large boulders placed by the State along the west side of Kettle Cove Road. It is believed that the gravel placed for the original launch area is predominately still in place and is now overgrown with vegetation.

The State representatives stated that the State would be very much behind the effort to move the public vehicle beach access and would not impede its progress, however, any improvements to reuse it would need to be funded by the Town. Further, the improvements would need to be engineered and properly permitted. To do so, there

would need to be a comprehensive agreement between the State and the Town that stipulates each party's responsibilities. That agreement would then need to be followed by an easement which would allow the Town to construct and maintain the improvements as well as operate the boat launch.



*Existing Boat Launch*

If this change were pursued, the existing boat launch could be utilized as a pedestrian-only access point to that section of Crescent Beach and vehicular use of the current launch would then be prohibited. The Committee believes that the Town should devise a means through stairs, vehicle barriers, and signage to clearly demonstrate the location of the access and its purpose in providing pedestrian access to the beach area. In doing so, the rights of the public to access and enjoy the beach area would be clearly identified and enhanced by providing a safe, year-round means to readily access the beach by foot.

The clear separation of uses and proper signage stipulating these uses would resolve much of the conflict within the Kettle Cove/Crescent Beach area. By providing an improved public beach access and launching capabilities, the public users would be more inclined to use the more accessible public area and less apt to attempt to use the more restrictive Boat Cove launch area which should be limited to commercial users and the Town's WETeam. Also by moving the public vehicle beach access area to the northwest, conflicts with the drainage channel would be mitigated. In addition, the new public beach access location would create a buffer between boat launch activities and the nearby residential homes along Kettle Cove Road.

Finally, the Committee recognizes that while the State currently does not intend to restrict either the commercial fishing fleet or the Town's WETeam from using the launch area at Boat Cove, there is no definitive easement in place with those access rights being clearly documented and recorded. Recognizing that future conditions may arise that might affect the State's desire to continue this arrangement and the disastrous effect that such a restriction or limitation of use would place on the Town's commercial fishing community and its water related emergency response abilities, the Town should negotiate with the State to obtain a recorded easement for the continued and unabated rights of its commercial fleet and WETeam to utilize the Boat Cove launch area.

#### 4.4 Recommendations:

The Harbors Committee recommends that the Town Council take the following steps:

1. Enter into an agreement with the Operations and Maintenance Division of the Maine Department of Agriculture, Conservation, and Forestry's Bureau of Parks and Lands stipulating each parties' understandings and responsibilities associated with the relocation of the public vehicle beach access to the historical boat launch area to the northwest off Kettle Cove Road.

2. Follow up with steps to secure an easement from the State of Maine that would allow the Town to construct and maintain the improvements and then operate the new public vehicle beach access site.
3. Investigate and seek grant opportunities that could be used to assist in the funding of the new public access location. The Maine Department of Transportation's Small Harbors Improvements Projects (SHIP) grants have historically included a 50% local match up to \$250,000 in funding. SHIP grants must improve access to an existing access area. Also, the State provides Shore and Harbor Planning grants which dedicate up to \$30,000 with a local match that could be used to begin the planning work for this new launch.
4. Design, permit, construct, maintain, and operate the new public vehicle beach access area while repurposing the existing beach access area to provide safe pedestrian-only access to Crescent Beach. The pedestrian access should be enhanced with stairs or some other suitable means to allow for safe and secure year-round access to the beach. Further, vehicle barriers should be placed off the edge of Kettle Cove Road to not only restrict vehicular use of the access, but to also demarcate the entrance for pedestrians. Finally, signage should be added to direct visitors to this beach access location for foot traffic.
5. Install signage to clearly designate uses and restrictions on Town-owned property and encourage the State to clearly designate areas within their control for specific uses and restrictions. Of particular interest would be the parking and associated turnaround area and the boat launch at Boat Cove to be restricted to the commercial fishing fleet and the Town's WETeam exclusive use.
6. As a long-term step and to show its commitment to the local fleet and emergency preparedness, work with the State of Maine to secure an easement for the uninterrupted use of Boat Cove for use by the Town's commercial fishermen and WETeam.
7. Continue to support the collaborative activities of the Town's Police Department in providing enforcement and support to the State of Maine resources in the Kettle Cove/Crescent Beach area.
8. Encourage the State of Maine to share and promote their management goals and priorities for the Crescent Beach, Kettle Cove, and Two Lights State Park. Continue to build upon the ongoing cooperative discussion with State of Maine representatives. Clearly document any future collaborative interactions and agreements in writing so that mutually accepted policies and procedures will remain constant despite the eventual change in personnel over time at both the local and State levels.

## **5.0 Moorings Mapping Update:**

*Charge Item Executive Summary: The Harbors Committee has worked with the Town Harbormaster who has partially gathered mooring location coordinates to update the Town's mooring map information. This mapping exercise should be completed in the summer season of 2018 to identify all active and inactive moorings. This information should then be provided to the Town's GIS Coordinator to develop a current mooring location map. This current map should then replace the outdated mooring information on the Town's website to reflect accurate mooring information. The Town's website mooring section should then be made current and updated as information changes so that the public can readily access reliable mooring information. Finally, the Town should continue to support the Harbormaster position in a professional manner.*

Currently, the Town conducts the administrative duties of the Harbormaster position through its staff within the Police Department and provides a Harbormaster presence on the water by sharing its Harbormaster with the adjacent Town of Scarborough. While the Town of Scarborough employs the bulk of the Harbormaster's time, this arrangement allows for the Town of Cape Elizabeth to have a certified enforcement officer with full arrest powers through the Maine Criminal Justice Academy. The Harbormaster has access to several boats and being well-versed in marine law is able to respond appropriately to possible criminal and emergency situations. The Town of Scarborough also provides the Harbormaster with an equipped response vehicle that can be used on calls in Cape Elizabeth.

By staffing the current Harbormaster position in this fashion, the Town has greatly improved both the functionality and the professionalism of the Harbormaster role. Past Harbormasters were not formally trained in law enforcement and were required to use their own boats to conduct their work. Further, past Harbormasters operated with little supervision and provided very little documentation of their activities. By elevating the Harbormaster position to a higher level, the Town now has greater control of the ongoing harbor activities and is in a much better position to respond to issues as they occur.

The charge of providing a mooring mapping update has been partially completed. The Committee worked with the Town's Harbormaster in an attempt to complete the entire mapping exercise, however, the mapping update was not able to be completed during the optimum period of the 2017 season. The Harbormaster was able to complete a mapping of Seal Cove near Kettle Cove and Crescent Beach State Park which includes all of the commercial fleet mooring locations. Due to adverse weather conditions and the seasonal lowering below the water surface of many of the mooring buoys during the winter season, the Harbormaster was unable to conduct the mooring mapping along the eastern shore which consists of entirely recreational moorings.

The Harbormaster should complete the mooring mapping update in 2018 and utilize that information to address any discrepancies in the Police Department's official mooring records. The updated information should then be added to the Town's website and the website's mooring pages made current so that users of this information can be assured of its reliability.

The Town of Cape Elizabeth administers moorings with its Police Department and its part-time Harbormaster. According to Town records, there were 59 registered moorings. By comparison, the 2007 Comprehensive Plan listed 104 registered moorings in 2006. The number of moorings by location were as follows:

LOCATION	2017 MOORINGS	2006 MOORINGS	CHANGE
Alewife Cove	3	7	-4
Broad Cove	1	1	0
Cliff House Beach	3	3	0
Crescent Beach	14	32	-18
Kettle Cove	13	15	-2
Maiden Cove	10	19	-9
Ram Island	1	1	0
Staples Cove	5	9	-4
Pond Cove	1	1	0
Trundy Point	3	10	-7
Zeb Cove	5	6	-1
<b>TOTAL</b>	<b>59</b>	<b>104</b>	<b>-45</b>

Source: Town of Cape Elizabeth Police Department

The number of moorings appears to have been significantly reduced over the past decade. There are a number of factors which may be involved with this situation. According to the Town's Police Department, Maiden Cove is the only cove in Town with a mooring waiting list, currently at five. Rather than this location being less popular for moorings, it is more likely that the cove was historically too crowded so fewer moorings are now allowed. Likewise, the Crescent Beach area was once considered to be over-crowded so a reduction of moorings allowed in this location is also entirely possible.



*Staples Cove*

Many recreational mooring locations are accessed entirely by nearby private residential properties. Therefore, the replacement use of these moorings is restricted from the overall general public due to accessibility limitations. When past moorings are released, they can only be reactivated by people with access to the cove which may not readily occur.

Other possible theories for the reduction in moorings include that some moorings in the past may not have been actually in use, but had been continually carried forward on the mooring location list. Another possibility is that the past documentation was not accurately kept which has led to some discrepancies. Now that the Harbormaster position has been elevated, and Police Department is now actively involved in the record keeping process, the mooring information will be much more reliable in the future.



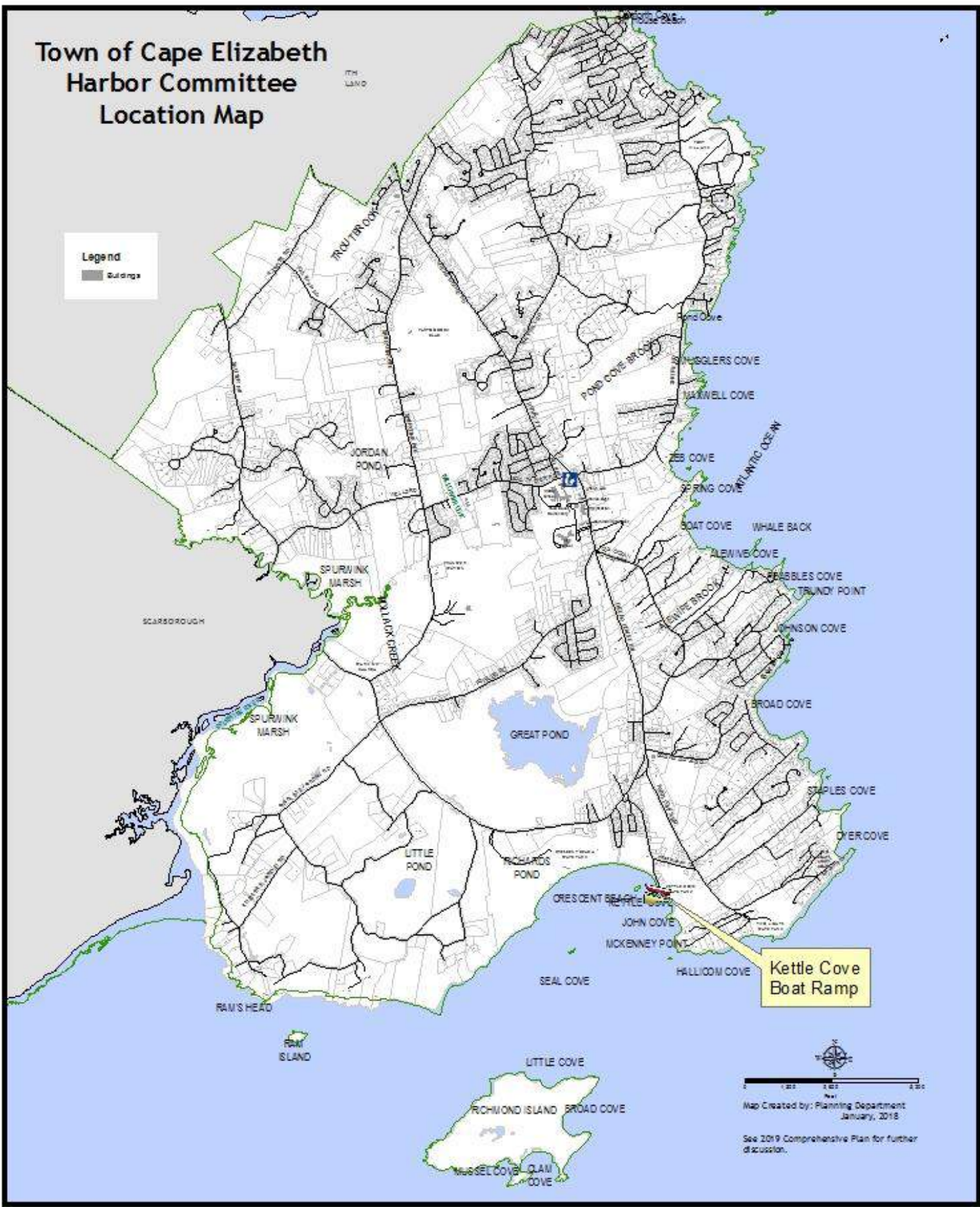
## **6.0 Public Water Access Inventory:**

*Charge Item Executive Summary: In order to inventory public access points to the shoreline, the Committee utilized local knowledge and conducted a field review of public coastal access areas. These areas are controlled by various entities including the federal government, the State of Maine, the Cape Elizabeth Land Trust, and the Town of Cape Elizabeth. There are several coves along the shoreline that the Town issues mooring permits, however, these moorings are accessed from private property and no direct public access rights exist. Further as discussed in Section 7 (Page 26) of this report, the Committee also conducted a Public Shoreline Access Survey to gauge the importance of coastal public access and to gain public opinion as to the condition and potential improvements to these locations. The results of the survey indicate a high value is placed on these public spaces by its users and there is a high level of interest in maintaining and improving upon these areas.*

*Please refer to the following location map, depicting the various public properties and coves along the Cape Elizabeth coastline.*

# Town of Cape Elizabeth Harbor Committee Location Map

**Legend**  
 Buildings



**Kettle Cove  
Boat Ramp**



Map Created by: Planning Department  
 January, 2018  
 See 2019 Comprehensive Plan for further  
 discussion.

## 6.1 Federal Properties:

The federal government through the U.S Coast Guard controls the access to the ocean from the lands associated with its facility at the end of Two Lights Road.



### **Dyer Cove**

This cove is accessed from the end of Two Lights Road. The land beyond the paved section of Two Lights Road is owned by the U.S. Coast Guard as part of an approximate 10 acre property along the coastline. The Coast Guard allows the public to access the rocky beach via a gravel parking lot beyond the paved roadway. While the Coast Guard property includes approximately 2,500 linear feet of ocean frontage, the beach area extends for less than 350 feet in length along the shore. The beach area is generally used for sightseeing, scuba diving, paddle boarding, and kayaking. Although there was historical use of a past mooring use here, the cove is exposed, frequently choppy, and subject to strong coastal currents. In the Harbormaster's opinion, this cove does not represent a viable opportunity for mooring use.

## 6.2 State of Maine Properties:

The State of Maine owns and operates three state parks within the Town limits. These three parks are in close proximity to one another and are currently managed by one person.



### **Two Lights State Park**

This park is accessed from Tower Drive off Two Lights Road and encompasses approximately 42 acres with approximately 2,200 linear feet of coastline. This park opened in 1961 and features a rocky coastline with sweeping views of ships entering the Portland harbor and the Atlantic Ocean. The park offers a network of paths crossing through forested lands and along seaside rock ledges. Popular activities include walking, sightseeing, picnicking, and sunbathing.



### **Kettle Cove State Park**

This approximately 67-acre area with approximately 4,400 linear feet of shoreline is accessed from Kettle Cove Road and includes a paved parking lot for users of the park. The park features public beach access and the Town's only commercial boat launch, a sandy beach area, and supports a variety of coastal activities and wildlife habitat. Despite its open exposure and often rough seas, a large mooring field is located here. The Town's commercial fishing fleet and the Town's WETeam uses Boat Cove within the park limits for boat launching. A more detailed discussion of this area with recommendations for improvements is included in Section 4.0 (Page 11) of this report.





### **Crescent Beach State Park**

Opened in 1966, this approximately 212-acre park area is accessed publicly from its main entrance and parking area off of Bowery Beach Road (Route 77). As part of the 212 acres, the State leases approximately 100 acres from the adjacent Sprague Corporation. There is secondary access to this park from Kettle Cove Road, but it is restricted to authorized personnel only and is not for public use. Beachgoers frequent the beach area and recreational boat and other marine related recreational equipment can be launched from this beach area as well. The park's sandy beach extends approximately 4,400 linear feet in a crescent shape that connects to the east with Kettle Cove State Park lands. In addition to picnicking, sunbathing and swimming, the park offers walking trails and opportunities for fishing, kayaking and paddle boarding/sailboarding.

### **6.3 Cape Elizabeth Land Trust Properties:**

Another entity with control along the Cape Elizabeth is the Cape Elizabeth Land Trust (CELT). The CELT operates independently from the Town, but its lands are open to the public. CELT properties may also contain additional restrictions associated with their use depending on the specific terms agreed upon during the property acquisition process.



### **Trundy Point**

This less than 2-acre property area is located off Reef Road and contains approximately 1,300 feet of coastline. This area can be accessed on foot by people in the nearby neighborhoods or from vehicles parking alongside the road. There are no off road parking spaces that are dedicated to this property. There are Town permitted moorings in nearby coves which are all non-commercial related. The area contains a small rocky beach with walking and sightseeing opportunities along Trundy Point that offer sweeping views of the Atlantic Ocean.



### **Pond Cove from Shore Road**

This 1.25 acre area is accessed from Shore Road and encompasses approximately 300 feet of rocky shoreline. Parking is available on the inland side of Shore Road near the CELT owned Robinson Woods. A short CELT trail starts at Shore Road and then leads onto the rocky beach at Pond Cove. A mooring is sometimes used in Pond Cove, but due to its exposure, it cannot be used in any inclement weather conditions.

### **6.4 Town of Cape Elizabeth Properties:**

Beyond the very popular and heavily used Fort Williams Park, the Town actually owns few other limited landholdings with very little coastline access under its control. The Town maintains two coastal properties and restricts the public's use of these areas to occur

from sunrise to sunset. The Town also owns land alongside the Spurwink River which is tidally influenced, but the Town's land rights do not actually extend to the Atlantic Ocean.

There are also situations in Cape Elizabeth neighborhoods that include right-of-way access to the shore, however, these accessways are typically deeded and limited to nearby residences. Therefore, the general public cannot legally use these neighborhood shore access points.

It should also be noted there are often no public access to places where the Town issues moorings, such as at Maiden Cove off Cottage Lane and Staples Cove off Hannaford Cove Road. In doing so, the Harbormaster is not providing any assurances that a mooring holder will have public access to the mooring. While it may not be practical to access a mooring from another harbor, it is theoretically possible. This situation is common along the Maine coast where many moorings in Maine are located near and accessed from privately held adjoining land.



#### **Fort Williams Park**

This 96-acre property located off Shore Road is a former military installation which was sold to the Town in 1964 and later designated as Fort Williams Park in 1979 by the Town Council. In addition to its approximately 5,700 feet of coastline access, the park features an iconic lighthouse and is a very popular destination by both tourists and residents

of the Town. In addition to sightseeing, historical points of interest, and picnicking opportunities, the park features various recreational opportunities through walking trails and open play and ball fields, playgrounds, and a small, approximately 300-foot long, rocky beach.



#### **Cliff House Beach**

This quarter of an acre property on Danforth Cove is located off Sea View Avenue and includes a rocky beach of about 200 feet in length. The area can be accessed on foot by people in the nearby neighborhoods or from vehicles parking alongside the road. Currently in disrepair, there are steep concrete stairs that allows access from the grass bluff area alongside Sea View Avenue to the rocky

beach below. The Town is actively exploring actions to repair the stairs to provide a more secure means to access the beach area.



#### **Spurwink River Marsh**

This tidally influenced area is located off Bowery Beach Road at the municipal border with the Town of Scarborough. A Rachel Carson Preserve parking lot is located on the Scarborough side of the river which allows visitors to access and to view the Spurwink River. The Town owns a large tract of land

along the thread of the Spurwink River that encompasses the Spurwink River tidal marsh and extends inland to the school properties in the Town Center and to the sanitary sewer treatment plant, Public Works facility, and the Town owned cemetery, recreational fields, and Town farm lands. The Spurwink River provides an opportunity for fishing, but is poor for kayaking due to sand bars and the low water levels due to the fluctuating tides.

Access to the Cape Elizabeth side of this area is publicly available through the adjacent Town Cemetery parcel off Bowery Beach and Spurwink Avenue. The Cape Elizabeth Conservation Commission is actively planning to improve and extend a trail to the Spurwink River point area for pedestrian and mountain bike use which would be located beyond the adjacent Town Cemetery active limits. Tidal marshes represent a significant permitting and construction obstacle to improving access to this area.

It should be noted that the Town's property along the Spurwink River is well inland and does not reach the Atlantic Ocean so technically this land would not qualify as coastal access.



#### **Surfside Avenue**

This area is a 2,000 linear foot section of a paper street that is located off Pilot Point Road which extends along a bluff area overlooking the rocky coastline with views of Broad Cove and the Atlantic Ocean. The Town does not own this paper street outright. Surfside Avenue is a paper street, however, on which the Town has the incipient rights of

dedication. These rights are currently extended to October 2037, with the Town maintaining its rights to either accept the paper streets or vacate the municipal interest.

During the Committee's review of coastal access issues, there was a separate and spirited review undertaken by the Town Council regarding the rights associated with Surfside Avenue and the limitations of those rights. After significant input, study, and deliberations, the Town Council eventually voted to extend its current rights in this area for the foreseeable future.

#### **6.5 High Value Plant and Animal Habitat:**

According to Maine Department of Inland Fisheries & Wildlife provided mapping, the shoreline of Cape Elizabeth offers high value plant and animal habitat. Beginning in the northern portion of the Town at Danforth Cove and then along the shoreline of Fort Williams Park is located habitat for Harlequin Duck which is a threatened species. Fort Williams Park also offers habitat for the endangered New England Cottontail Rabbit.

Moving further to the south beyond Broad Cove, past Trundy Point and around Dyer Cove, and then along the southern shoreline associated with Two Lights State Park and Kettle Cove State Park are areas of habitat for Harlequin Duck and large swaths of the New England Cottontail Rabbit habitat.

Once along the coastline of Crescent Beach on the southerly shore, shorebird habitat extends for the endangered Piping Plover. A Pitch Pine Dune Woodland natural community is located westerly of the Crescent Beach State park parking lot. Further to the west extending toward the Spurwink River are Dune Grassland natural communities, additional Piping Plover habitat, and a pocket of habitat for the endangered Beach Plum species.

Clearly the shoreline of Cape Elizabeth, particularly in its southwesterly area, offers essential habitat of considerable value. Contributing to the ability of these habitats to thrive is the sparse development in this portion of Town and the Town's stringent wetland and coastline zoning which further protects plant and animal habitats from impacts of development.



## 7.0 Public Opinion Survey

### 7.1 Introduction:

The Harbors Committee was one of the subjects studied as part of University of New England student Madison Whatley's Marine Resource Capstone project "*Maine Municipal Harbor Management: Case Studies in Adaptive Resource Management*". As part of her research in making decisions in natural resource management, Ms. Whatley reviewed the communities of Cape Elizabeth and Brunswick, Maine as case studies and presented her research findings to the Committee. A summary of Ms. Whatley's report is included in the appendix section of this report as Attachment F.

During her presentation, Ms. Whatley emphasized that stakeholder involvement is important throughout the process citing Brunswick's online survey as a different way to engage stakeholders that may not be reached through traditional methods. The Harbors Committee decided that an online survey would be an excellent manner to solicit input from citizens in addition to the input that the Committee received from local residents' written and spoken testimony, the local fishermen's association, State representatives, and Town Staff.

### 7.2 Overview:

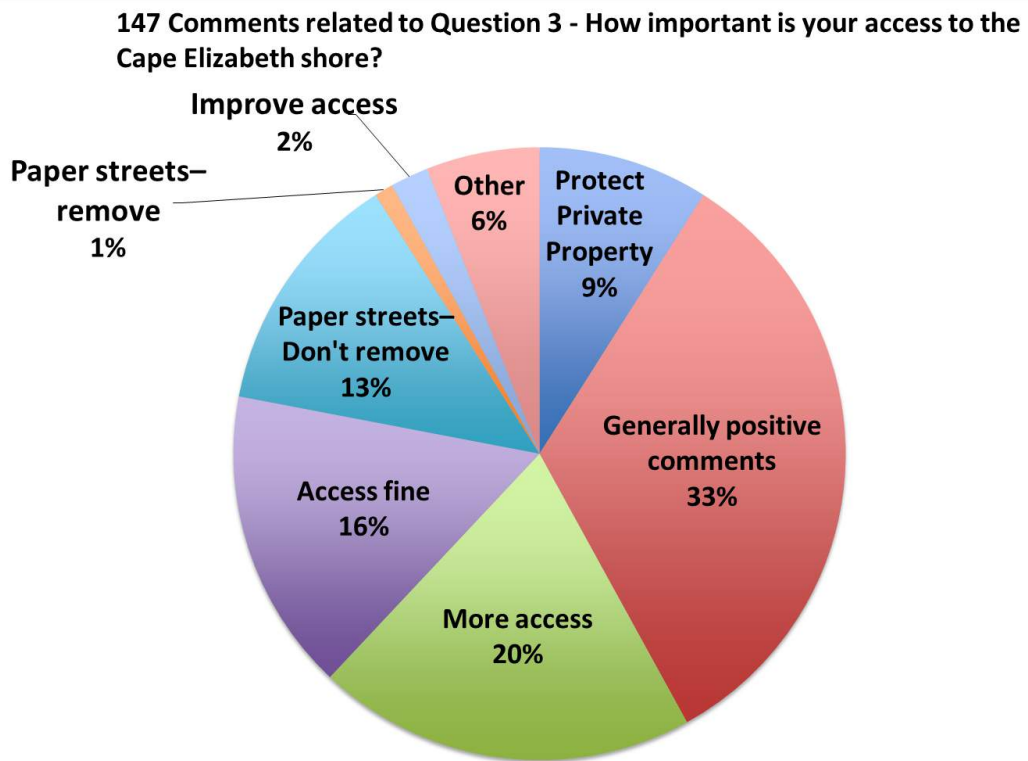
In order to gauge the public's opinion of the Cape Elizabeth coastline issues, the Harbors Committee conducted a public opinion survey in which 497 people responded. Over 95 percent of the respondents were Cape Elizabeth residents. The overwhelming opinion of the survey indicated that public access to the shoreline is either extremely or very important to the public (over 90 percent) and a highly valued aspect to living in Cape Elizabeth. A wide variety of users enjoy this natural resource through relatively passive activities such as picnicking, sunbathing, and sightseeing to more strenuous activities such as walking, swimming, kayaking, paddle boarding/sailboarding, surfing, and scuba diving. This resource is also used for recreational boating and fishing while being essential to the livelihood of the Town's commercial fishing and aquaculture industry.

The respondents also provided suggestions for improving access points and the use of these public access areas. In addition to providing valuable data as to the particular activities enjoyed at the various public access areas, the survey wholeheartedly demonstrated that the coastline of Cape Elizabeth is a valued treasure in the community and that its protection and improvement is very much supported.

### 7.3 Public Access Importance:

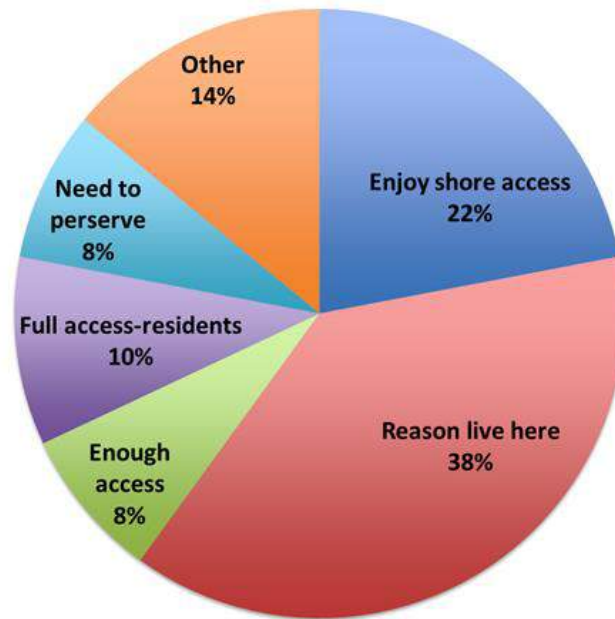
It should be recognized that a sizable percentage of the responses to the importance of public access were motivated by the ongoing debate regarding public access to the Surfside Avenue paper street which is located along Broad Cove and is located off Pilot Point Road. The comments associated with the importance of public access, however, were clearly supportive of public access to the shore with people being generally satisfied with the level of public access and another group of respondents urging the Town to increase the public's access to the coast.

The Harbors Committee recognizes that the Surfside Avenue paper street issue is extremely sensitive and a very complicated issue for the Town Council and affected residents to resolve. The Committee also understands that the purchase of additional shoreline access is nearly impossible for the Town to obtain due to the lack of availability and the extremely high cost of coastal property. Regardless, the Harbors Committee recommends that the Town Council identify and pursue any possible opportunities to expand its public shoreline access while partnering with other entities within the Town, such as the State of Maine and the Cape Elizabeth Land Trust, to improve upon existing public access points to the coast.



When asked why the respondents valued their access to the shoreline, over 50 percent of the 400 individual responses indicated that people not only enjoyed the shoreline access, but that it was the reason that they live or moved to Cape Elizabeth. Another approximately 20 percent of the responses touted the shoreline as a great asset and one that the Town needs to preserve. Clearly, many of the citizens of Cape Elizabeth consider the shoreline to be a local treasure worthy of the efforts underway to improve upon and preserve its important functions.

**400 comments related to Question 4 - Based on your answer to Question 3, why do you say that?**



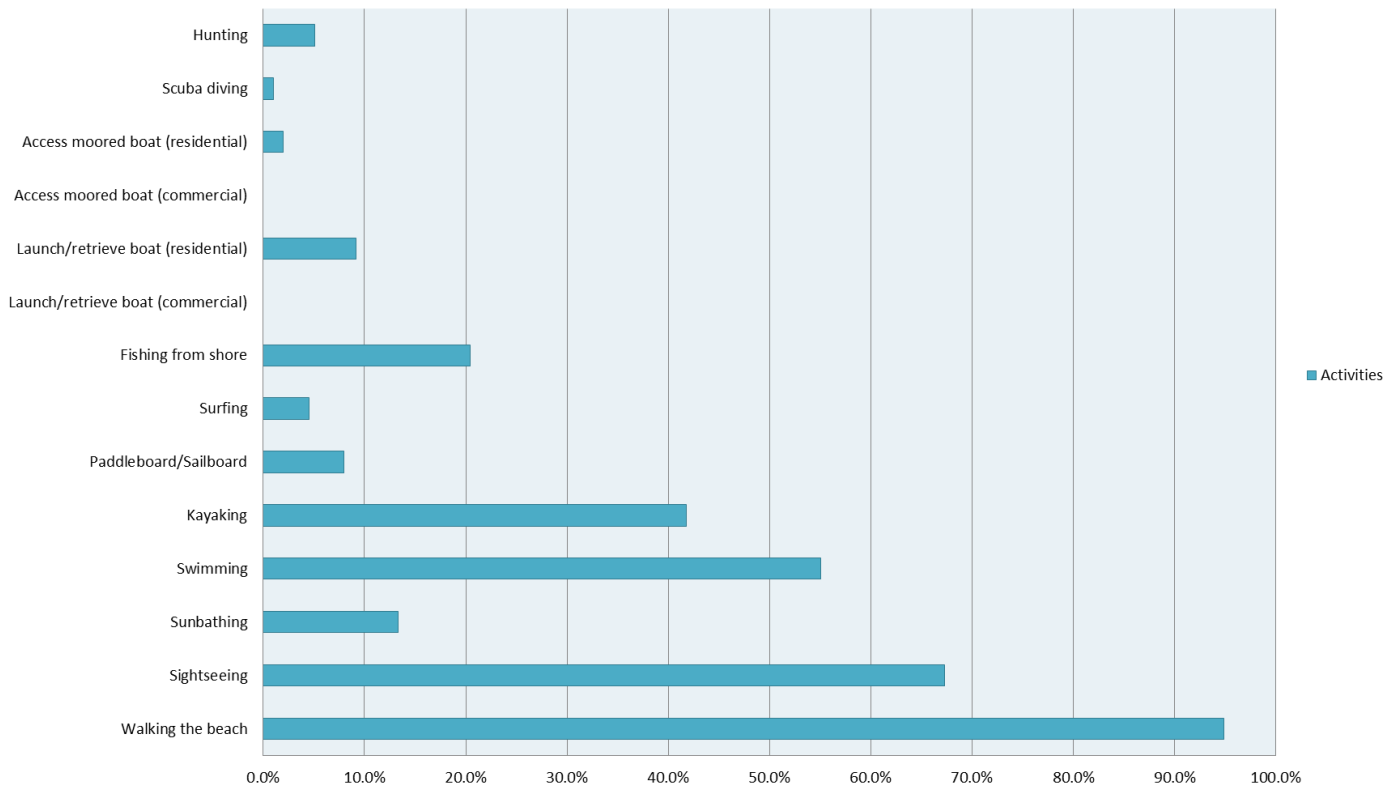
#### **7.4 Usage and Activities:**

The survey also revealed that the respondents frequently visited the Cape Elizabeth shore particularly during the months of June, July, and August. While Fort Williams Park is the most popular location to visit for shoreline access, the survey indicated that Kettle Cove was a close second and overall ranked as the most popular location in the Town in terms of public coastal access.

Given that Crescent Beach was a close third in popularity to Fort Williams Park and Kettle Cove in destinations to visit and considering Crescent Beach's close proximity to Kettle Cove, the results of the survey strongly demonstrates the need to proactively take action to resolve the congestion of the Kettle Cove/Crescent Beach area as outlined in Section 4.0 (Page 11) of this report. It should also be noted that other public water access locations within the Town were also robustly supported by the respondents indicating strong support for these locations and the need to explore opportunities to improve upon these access points for the continued balanced enjoyment and usage of these facilities.

As for the activities that people enjoyed on the Cape Elizabeth shoreline which are indicated in the following chart, walking the beaches was an overwhelming favorite enjoyed by over 95 percent of the responders. Sightseeing and swimming were also popular activities for approximately 60 percent of the survey takers. Sunbathing and kayaking were noted by another 40 percent of the survey responses followed by paddle boarding/sailboarding and fishing from the shore near 25 percent. Boating activities were then well distributed by commercial and recreational users with surfing, scuba diving, and hunting activities also noted.

**400 comments related to Question 7 - Which activities do you engage in on the Cape Elizabeth shore (check all that apply)?**



Clearly, the coastline of the Town is host to a wide variety of activities in both diversity and levels of intensity. It is also clear that this resource is important not only for its economic contributions, but also for the health and recreational well-being of the community.

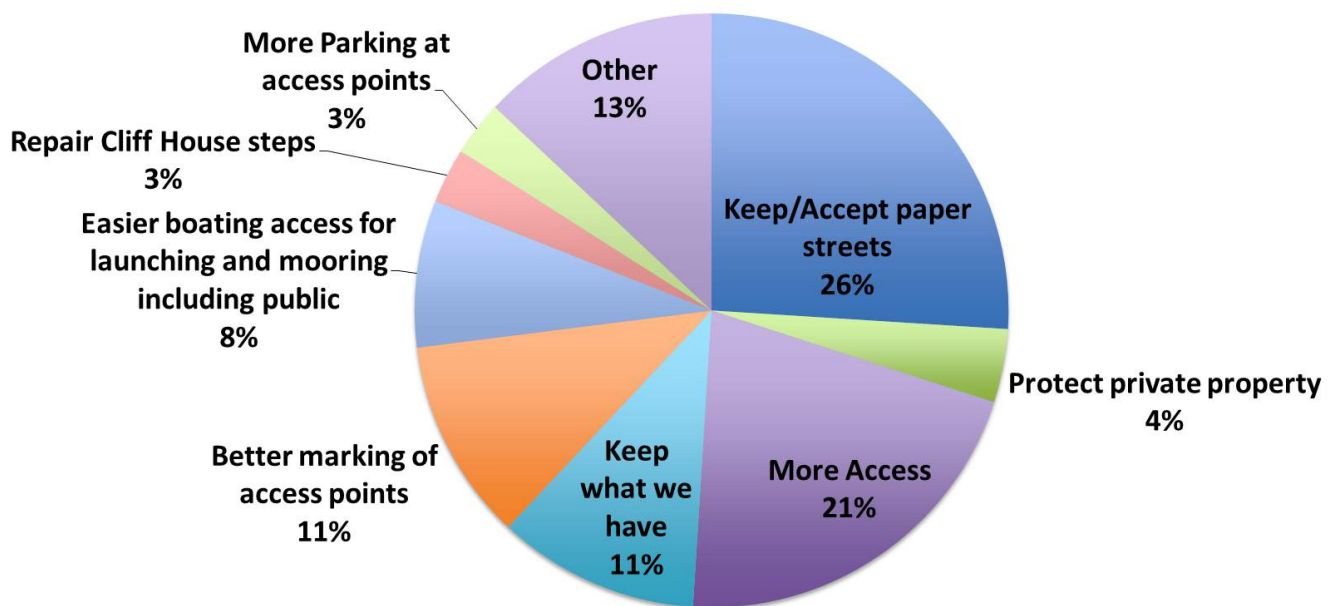
**7.5 Possible Shoreline Access Improvements:**

When asked what the Town could do to improve upon the existing public access to the coast, many responders noted that increasing shoreline access as a high priority. Again, many of the respondents to this question weighed in from perspectives associated to the controversial Surfside Avenue paper street access issue. While this ongoing discussion may have influenced this particular response, it cannot be dismissed that increasing the

public access opportunities to the shoreline is a strong sentiment of the survey results which the Town Council should not take lightly.

The “more access points” response was the lead response followed in order by responses suggesting the improved amenities of better trails, more parking at the access points, and the installation of restrooms, improved boat launching facilities, and increased mooring availability. The individual comments listed in the survey responses contained many broad recommendations associated with the ongoing paper street discussion and several specific suggestions such as better marking of the access points and the repair of the Cliff House Beach stairs.

**316 Comments related to Question 11 - Please tell us how the Town of Cape Elizabeth can improve public access to the shore and waters?**



While the Committee recognizes that some of these suggestions may not be economically feasible such as installing restroom facilities or physically possible in some cases such as expanding mooring availability, the Committee does recommend that the Council review the individual comments presented in the Public Survey to get a flavor of the type of improvements that the public is interested in accomplishing so that future improvement assessments can be factored with this survey’s responses in mind.

7.6 Demographics:

While only five percent of the responders fit the 18 to 34 year old category, the four other age groups from 35 to 44 years old, 45 to 54 years old, 55 to 64 years old, and those over 65 years old were evenly represented between 20 to 30 percent per age group. This distribution clearly indicates that the Cape Elizabeth shoreline resources are enjoyed by a broad range of age groups and it is safe to assume that this enjoyment also extends to

individuals under 35 years old. Therefore, it is important for the Town to protect and improve upon its shoreline resources for the benefit of all residents no matter what demographic category they may represent.

#### 7.7 Communication:

The Committee also believed it was important to determine how the survey responders found out about Town government activities and news. The overwhelming method according to this survey was through the Cape Courier newspaper (88 percent) and the Town's website (66 percent). These two sources were followed by Portland Press Herald newspaper and social media in around 40% of the responses and the Forecaster newspaper (28 percent). It is recommended that the Town continue to promote their activities through these resources in order to communicate effectively with the public.

## **8.0 Comprehensive Plan - Marine Resources Section Draft:**

*Charge Item Executive Summary: The Harbors Committee met with Town Planner Maureen O’Meara who provided direction on the State requirements for the Marine Resources section of the Comprehensive Plan and comments on the draft content. Based on this assistance and the information that the Committee has developed through their work, the Harbors Committee created the draft version of Comprehensive Plan Marine Resources section for the Comprehensive Plan Committee’s consideration.*

The Harbors Committee met with Town Planner Maureen O’Meara who provided direction on the State requirements for the Comprehensive Plan and the Marine Resources section. She also described the Comprehensive Plan report outline being devised by the Comprehensive Plan Committee so the Harbors Committee could focus on the information that needed to be included in the Marine Resources section.

The Harbors Committee then developed a draft Marine Resources section to address this charge item and provided it to the Comprehensive Plan Committee. It is envisioned that the Comprehensive Plan Committee will review and revise this section to fit within the context of the overall Comprehensive Plan. A complete version of the draft Marine Resource Section as provided to the Comprehensive Plan Committee for their use is included in the appendix section of this report as Attachment G.

As part of its research and deliberations on the Marine Resource Section, the Harbors Committee received input from various sources which emphasized the importance of balancing the needs of both recreational and commercial uses for the Town’s coastline resources. The Town should continue to support its commercial fleet while recognizing the value that Cape Elizabeth residents place on their shoreline activities. Paramount to this issue is the need to address specific concerns regarding access to the Kettle Cove to maintain a working waterfront and enhanced public access to the water in a manner that respects the local neighborhood.



One specific piece of information that the Committee received reflects the levels of recreational and commercial fishing activity in Cape Elizabeth. As a means to track the trends of the local fishing and shellfish harvesting activities both recreationally and commercially, the Maine Department of Marine Resources has historically tracked marine licensure information for various communities throughout the State of Maine. A review of the changes in licensure levels from 2005 to 2016 indicates that the total number of permits have remained essentially steady, however, there was a noticeable drop in commercial licenses which has been primarily offset by an increase in non-commercial marine related licenses.

TYPE OF LICENSE	2016	2005	CHANGE
Commercial Fishing Crew (CFC)	8	8	0
Commercial Fishing Single (CFS)	6	2	4
Commercial Shellfish (CS)	1	0	1
Commercial Shellfish Under 18 (CSU)	1		1
Elver Dip Net (E0)	1		1
Lobster/Crab +70 (LCO)	1	6	-5
Lobster/Crab Apprentice (LA)	1	1	0
Lobster/Crab Class 1 (LC1)	19	20	-1
Lobster/Crab Class 2 (LC2)	16	28	-12
Lobster/Crab Class 2 +70 (LC20)	1		1
Lobster/Crab Class 3 (LC3)	8	6	2
Lobster/Crab Non Commercial (LNC)	44	35	13
Lobster/Crab student (LCS)	6	14	-8
Recreational Saltwater Fishing Operator (SWRO)	2		2
Recreational Saltwater Registry (SWR)	3		3
Scallop Diver with Tender (SDT)	1	1	0
Scallop Dragger (SD)	2	3	-1
Scallop Non Commercial (NCS)	1	3	-2
Seaweed (SW)	3	1	2
<b>TOTAL</b>	<b>125</b>	<b>128</b>	<b>-3</b>

Source: State of Maine, Department of Marine Resources

The regulations currently in place makes it difficult to gain a new Lobster/Crab license with the limited entry system restrictions in both of the two zones that straddle Cape Elizabeth. It should be noted that the current regulatory system also incentivizes the student entry process by making it difficult to gain a new license. While the number of student licenses has decreased in Cape Elizabeth, this reduction may be due to cultural trends which tend to diminish the younger generations from entering the commercial fishing industry and the Town's lack of a pier which other communities use to develop and foster the sustainability of their commercial fleet. While the drop in commercial licenses is a trend that is reflective across nearby states, Cape Elizabeth has been able to sustain a working waterfront.

## **9.0 Other Related Matters:**

*Charge Item Executive Summary: To date, the Town Council has not requested that the Committee consider any other related matters. During the course of the Harbors Committee's deliberations, however, the Committee reviewed the June 2015 "Cape Elizabeth Sea Level Rising Vulnerability Assessment" report as prepared by the Portland Council of Governments. The Harbors Committee has chosen to include the Executive Summary from this assessment report below as a means to emphasize that sea level rise affects must be taken into account in any future improvement project to the Town's shoreline access points and in any future planning along the Town's coastline. While the Town of Cape Elizabeth is fortunate to be in a much more resilient position than many other Maine coastal communities, the adverse effects from the potential sea level rise cannot be minimized and the Committee encourages the current and future Town Councils to be diligent in their actions to mitigate adverse sea level rise consequences.*

### **Cape Elizabeth Sea Level Rising Vulnerability Assessment's Executive Summary**

For several reasons, Cape Elizabeth is uniquely situated to be more resilient than most communities to the effects of sea level rise, coastal flooding, and storm surge. First and foremost, the Town's **rocky coastline** severely limits the area that is vulnerable to sea level rise and coastal flooding. According to the Maine Geological Survey's (MGS) Coastal Bluff Maps, most of Cape Elizabeth's coastline is considered "stable," with little risk of landslide or erosion.

In addition to this natural fortification, the Town has adopted several **strict policies to regulate development in low-lying, environmentally sensitive areas**. For example, roughly one-third of the town is regulated by local wetlands zoning; the Town recently amended its shoreland zoning regulations to consider the implications of three feet of sea level rise; and new structures in flood-prone areas are required to be raised at least two feet above "base flood elevation" in most zones.

Lastly, the majority of Cape Elizabeth's **public buildings and facilities are located a safe distance inland from any coastal flooding hazards**. The Town office, police and fire departments, schools, and library are all clustered together in the Town Center, and by all appearances out of harm's way.

However, this is not to say Cape Elizabeth is immune to the impacts of sea level rise. This assessment has identified several potentially vulnerable areas. In particular, key elements of the Town's transportation and public sewer infrastructure, including Sawyer Rd., Shore Rd., Spurwink Ave., Starboard Dr., and a pumping station on Spurwink Ave. (Discussed in greater detail in the report).

Private property in Cape Elizabeth may also be at risk – mainly coastal residences and private access roads. However, this report focuses solely on impacts to public infrastructure. This report does not provide an exhaustive list of every action the Town could take to prepare for sea level rise; rather, it highlights the **top projects and strategies** believed necessary to protect public infrastructure and increase public safety. For Cape Elizabeth, these are:

- Evaluate risk to PWD’s wastewater pumping station on Spurwink Ave.
- Raise Sawyer Rd. and minor span.
- Raise Shore Rd. and improve culvert.
- Raise Spurwink Ave. and improve culvert.
- Review capacity and design of culverts Town-wide.
- Coordinate with PWD and South Portland to evaluate risk to underground utilities.
- Improve accuracy of GIS layer for “Normal High Water Line” (HAST+3ft).
- Include sea level rise language in next comprehensive plan update.
- Revise septic ordinance to consider impacts of sea level rise.
- Incorporate Low Impact Development (LID) techniques in land use ordinances.

**10.0 Summary and Conclusions:**

The Harbors Committee has been pleased to undertake the charges as requested by the Town Council and believes that this report will provide the impetus for improving the Town's harbors and coastline. During the Committee's study and deliberation period and as evidenced by the public participation at both Committee meetings and through the public input survey, it is readily apparent that the shoreline and harbors are important to fabric of the community of Cape Elizabeth and an essential component to its residents.

The recommendations in this study will provide the Town Council with a framework to begin to address local coastal issues, however, the issues related to the Town's harbors and shoreline will continue to evolve. Given that the last formal review of the Town's coastal resources occurred over 30 years ago, the current Harbors Committee strongly encourages the Town Council to revisit the marine resources within the Town's shoreline on a more frequent basis that should not exceed a 10-year time frame.



*Kettle Cove*

# **Attachment A**

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**Tracked changes Word document with  
recommended changes to Chapter 10 –  
COASTAL WATERS and HARBOR ORDINANCE**

## COASTAL WATERS and HARBOR ORDINANCE

(Adopted Eff. May 10, 1989)  
(Amended July 13, 2005 – Effective August 10, 2005)

### CHAPTER 10

#### ARTICLE I General Provisions

Sec. 10-1-1. Purpose. This Ordinance is to establish regulations for marine activities within the harbors, waterways and tidal waters of the Town of Cape Elizabeth, Maine to ensure safety to persons and property, to promote availability and use of a valuable public resource and to create a fair and efficient framework for the administration of that resource. This Ordinance shall be subordinate to existing Federal and State Laws governing the same matters and is not intended to preempt other valid laws.

Sec. 10-1-2. Harbor Limits.

(a) Seal Cove Harbor Limits. The harbor limits of Seal Cove, sometimes referred to as Kettle Cove, shall include the area of water northerly of the straight line between McKenney Point and East Point, so called, on Richmond Island. The Inner Harbor at Seal Cove (northerly of a line from McKenney Point to ~~black~~ can buoy 'C-1' near the harbor entrance and easterly of a straight line from such can buoy through Crow Rock, so called, to the shore) is hereby designated as a mooring area.

(b) Maiden Cove Harbor Limits. The harbor limits of Maiden Cove shall include the area of water located southwesterly of a straight line running approximately 345 magnetic from the point forming the easterly end of Maiden Cove and located southeasterly of the rocks off the cliff at the westerly end of Maiden Cove. The waters within such harbor limits, excepting the swimming area utilized by the Cape Cottage Beach Association, are hereby designated as a mooring area.

(c) Additional Harbors. In addition to the two major harbors listed above, numerous other coves and inlets are used for mooring and anchorage of vessels. This Ordinance shall also apply to these coves and inlets although no harbor limits have been established.

#### ARTICLE II

Sec. 10-2-1, Definitions.

(a) Anchorage: Shall mean an area of a harbor set aside for the temporary anchoring of vessels.

(b) Auxiliary: Shall mean any vessel having both sails and either an inboard or outboard motor and which may be propelled by its sails or by its motor, or both.

(c) Basin: Shall mean a naturally or artificially enclosed or nearly enclosed body of water where small craft may lie (anchor).

(d) Beach: Shall mean a public or private beach area bordering the waters of Cape Elizabeth.

(e) Commercial Vessel: Shall mean any vessel whose primary use is fishing.

(f) Distress: Shall mean a state of disability or a present or obviously imminent danger, which, if unduly prolonged, could endanger life or property.

(g) Emergency: Shall mean a state of imminent or proximate danger to life or property in which time is of the essence.

(h) Fairway: Shall mean a navigable channel in a harbor.

(i) Float: Shall mean any floating structure normally used as a point of transfer for passengers and goods and/or for mooring purposes.

(j) Houseboat: A raft, hull, barge or vessel, designed primarily to be used as living quarters, and providing living, sleeping, cooking and sanitary facilities, whether temporarily or permanently.

~~(k)~~ Mooring: Shall mean any appliance used by a vessel for permanent anchoring purposes and which appliance is not carried aboard such vessel when underway as Regular equipment.

(l) Outhaul: A small vessel mooring system attached to shore by line that allows for dinghy access from shore.

~~(m)~~ Non-Resident: Shall mean a person who does not fall within the definition of Resident.

~~(n)~~ Resident: Shall mean any person whose principal residence is in the Town of Cape Elizabeth; or who owns property and uses that property as a residence for at least 60 days a year.

Proof of residency may be established through voter registration, payment of real estate taxes or rental receipts for residential property within the Town of Cape Elizabeth.

~~(o)~~ Riparian Owner: Shall mean an owner of a parcel of land located in the Town of Cape Elizabeth which borders upon a harbor, cove or inlet commonly used for mooring or anchorage of vessels.

~~(p)~~ Shore: Shall mean that part of the land in immediate contact with a body of water, including the area between the high and low water lines.

~~(q)~~ Shall and May: 'Shall' is mandatory, 'May' is permissive.

~~(r)~~ State: Shall mean the State of Maine.

~~(s)~~ Stray Vessel: Shall mean (1) an abandoned vessel, (2) a vessel the owner of which is unknown, or (3) a vessel underway without a competent person in command.

~~(t)~~ To Anchor: Shall mean to secure a vessel to the bottom within a body of water by

dropping an anchor(s) or other ground tackle, which is carried aboard a vessel when underway as regular equipment.

(~~u~~s) Underway: Shall mean the condition of a vessel not at anchor, without moorings, and not made fast to the shore nor aground.

(~~v~~t) Vessel: Shall mean a floating object, boat or craft of any size designed for self-propelled travel on water.

(~~w~~u) Wash: Shall mean a surge of water, wave.

(~~x~~v) Waterway: Shall mean any water area providing access from one place to another, principally a water area providing a regular route for water traffic.

### ARTICLE III Harbor Master

Sec. 10-3-1. Harbor Master Appointment. A Harbor Master for the Town of Cape Elizabeth shall be appointed and may be removed by the Chief of Police subject to the approval of the Town Manager and shall be subject to all the provisions of Title 38, Maine Revised Statutes Annotated Section 1 et seq. as amended.

In addition, the Harbor Master for the Town of Cape Elizabeth shall also be subject to the following local provisions:

Sec. 10-3-2. Maritime Agent. The Harbor Master is to be considered the maritime agent of the Cape Elizabeth Town Council and shall have full authority for the interpretation and enforcement of all regulations affecting the harbors, waterways and tidal waters of the Town of Cape Elizabeth.

Sec. 10-3-3. Appeals. The Town Manager shall serve as the appeal authority for any person (s) aggrieved by any decision, act or failure to act by the Harbor Master. Any party aggrieved by a decision of the Town Manager may seek review of such decision pursuant to Rule 80 of the Maine Rules of Civil Procedure, as may be amended.

Sec. 10-3-4. Responsibility for Equipment. The Harbor Master shall be the municipal overseer of all town owned marine oriented equipment not specifically included within the purview of any other Town Board or Department.

Sec. 10-3-5. Mooring Records. The Harbor Master shall maintain copies of all mooring records as well as any waiting list for mooring location assignment.

### ARTICLE IV Anchoring of Vessels

Sec. 10-4-1. Anchoring Only With Permission. There shall be no anchoring of vessels in the designated mooring areas of Seal Cove and Maiden Cove without the permission of the Harbor Master except under ~~extreme~~ emergency conditions.

Sec. 10-4-2 Shifting Berths of Anchored Vessels. Anchoring will be permitted within all other tidal waters of the Town of Cape Elizabeth at the discretion of the vessel's operator. Anchored vessels may be required to shift their berth at the



direction of the Harbormaster if they are the subject of noise or other complaints, or for the safety of the vessel or the safety of others.

Sec. 10-4-3 **Anchored Vessels to Abide by Regulations.** All anchored vessels shall abide by all Federal Regulations for anchored vessels including but not limited to Day Signals and/or lights for signals, etc.

## ARTICLE V Moorings

Sec. 10-5-1. **Mooring Location Assignments.** All mooring locations shall be assigned by the Harbor Master. No mooring shall be placed without a written permit from the Harbor Master authorizing placement of a mooring at a specific location. Moorings shall be placed within thirty (30) days of obtaining a permit or July first (1) of the year the permit is obtained, whichever is later.

Sec. 10-5-2. **Mooring Permit.** All permits issued hereunder shall be for a period of one (1) year, and shall be subject to renewal annually. Permit holders who elect not to renew must notify the Harbor Master and remove their mooring. The mooring permit of any person who violates any of the provisions of these regulations may be revoked by written notice to that effect signed by the Harbor Master.

Sec. 10-5-3. **Moorings to be Registered and Numbered.** Moorings shall be registered and numbered at all times. Mooring numbers shall be issued by the Harbor Master at the time a mooring permit is issued.

Sec. 10-5-4. **Mooring Locations Subject to Change.** All moorings shall be subject to change in location at the owner's expense if such change is deemed by the Harbor Master to be in the best interest of the Town.

Sec. 10-5-5. **Harbor Master Empowered to Remove Moorings.** If a mooring owner refuses to move his mooring after receiving written notice to do so, the Harbor Master is authorized, after a fourteen (14) day waiting period to remove the mooring float, mark the mooring chain with an identifying tag and drop the chain to the bottom. If the Harbor Master determines that the anchor and chain could pose a fouling hazard to anchoring vessels or there is other reason for removal, the mooring gear may be pulled and the permit holder billed for the cost. The Harbor Master shall store any removed mooring gear up to six (6) months. During that period of time, the owner may reclaim the equipment after payment of any expenses or fines as provided under Title 38 M.R.S.A. §4.

Sec. 10-5-6. **Location and Waiting Lists.** Within the limitations of Sections 3 and 6 of Title 38, the Harbor Master shall assign mooring locations and maintain a waiting list for mooring locations.

Sec. 10-5-7. **Standards.** All moorings shall be of sufficient size and weight with chain and rope in sound condition to properly secure the moored vessel and the float attached to the mooring line shall be of sufficient size and buoyancy to remain afloat when not attached to the vessel.

Moorings shall be equal or greater in size, strength and weight than the minimum standards

as set by the Harbormaster. The adequacy of each mooring set remains the responsibility of the individual boat owner. Standards set by the Town are minimum standards.

Sec. 10-5-8. Fees. The Town Council shall establish mooring permit fees.

Sec. 10-5-9. Renewals and Abandoned Moorings. Any mooring not used by the vessel(s) named on the permit application for at least seven (7) days during the previous year may be refused a permit renewal if its presence is preventing applications for that mooring area from being approved or requiring new mooring installations to be placed in more exposed locations. All mooring gear is to be removed by the owner within two (2) weeks of permit expiration. Moorings without current permits may be removed by the Harbor Master as provided in Sec. 10-5-5 of this Ordinance.

Sec. 10-5-10. Inspection. All moorings shall be inspected according to a schedule and procedures to be posted by the Harbor Master. Inspection shall be performed only by individuals or organizations authorized by the Harbor Master and written reports of all inspections must be submitted to the Harbor Master. The mooring permit holder shall be responsible for all costs associated with mooring inspections.

Sec. 10-5-11. Buoys. Mooring marker buoys shall be visible at all tides. Buoys shall be white with a blue stripe.

Sec. 10-5-12. Town Moorings. Any moorings placed by the Town of Cape Elizabeth in any harbor under the jurisdiction of the Town shall not be used for a period longer than twelve (12) hours by any vessel, except by permission of the Harbor Master.

Sec. 10-5-13. Subletting of Mooring Space. The owner of any vessel having mooring space shall not sublet said mooring or mooring space to another user or vessel owner; however, another vessel owner may use the mooring, provided the original owner pays the fee or fees and has received permission from the Harbor Master to moor such vessel.

Sec. 10-5-14. Dinghies. Dinghies may not be tied astern of moored vessels for more than 24 hours.

Sec. 10-5-15. Mooring Limitations. Lobster crate or lobster car moorings are not to be used for vessel moorings.

Sec. 10-5-16. Houseboats: Notwithstanding any other provision of this article to the contrary, houseboats are prohibited from mooring or anchoring in the anchorage except at marinas which provide the following:

- (1) A permanent float, dock or slip from which the houseboat may be directly boarded from land;
- (2) Connection to a public water supply by means of an individual anti-backflow valve;
- (3) A sewer connection to a public sewage system;
- (4) A year-round, all weather supply of electricity;
- (5) Parking as required by the codes and ordinances of the municipality where the marina is located; and
- (6) Compliance with the applicable land use codes

Sec. 10-5-17. Outhauls: Any vessel which is less than fourteen feet in length may be outhauled without the requirement of a permit, provided the outhaul does not hinder navigation. Installation of an outhaul requires notification of the Harbor Master.

## ARTICLE VI Channels

Sec. 10-6-1. Channel Designations and Restrictions. The Town Council may from time to time establish channels for the passage of vessels in the harbors and waterways of the Town after due consideration of the recommendations of the Harbor Master. There shall be no anchoring or mooring in any channels designated as such.

Sec. 10-6-2. Interference with Channel Markers. Whoever moors a vessel, boat, raft or scow to any buoy or beacon placed by the Town of Cape Elizabeth in any waters subject to its jurisdiction to define the channels for vessels, or in any manner make the same fast thereto, or willfully destroys any such buoy or beacon shall be in violation of this Ordinance and liable upon complaint of the Harbor Master as provided in Sec. 10-8-1 of this Ordinance.

Sec. 10-6-3. Obstruction of Channels and Removal of Sunken Vessels.

(a) It shall be unlawful to tie up or anchor a vessel in a Cape Elizabeth harbor in such a manner as to obstruct the fairways, launch ramps or channels or to prevent or obstruct the passage of other vessels; or to voluntarily or carelessly sink or allow to be sunk any vessel in any channel, fairway, berthing space; or to float loose timbers, debris, logs or piles in any channel, fairway or berthing space in such manner as to impede navigation or cause damage to vessels therein. It is understood that wrecked or sunken vessels within a harbor are subject to the published rules and regulations of the United States Coast Guard and any applicable state law, rules or regulations.

(b) Whenever the navigation of any waters within a Cape Elizabeth harbor or maritime facility, including anchorages and berths herein, shall be obstructed or endangered by any sunken vessel or other obstruction or danger which has existed for a period of more than ten (10) days, the vessel or obstruction shall be subject to removal, sale or other disposition. The owner(s) of such vessel or other property causing said obstruction or danger shall be liable to the Town of Cape Elizabeth for all costs incident to said removal and disposition, and the Town of Cape Elizabeth, its employees, agents and officers shall not be liable for damages of any nature whatsoever originating out of or in any way connected with removal, sale or disposition of such vessel or other property.

## ARTICLE VII General Boating and Traffic Control Regulations

Sec. 10-7-1. Traffic Control Authority. The Harbor Master shall have the authority to control water borne traffic in any portion of the waters of a harbor or maritime facility under the Town's jurisdiction by use of authorized State regulatory markers, signals, orders or directions at any time preceding, during and after any race, regattas, parade or other special event held in any portion of the waters of a harbor or maritime facility or at any time when the Harbor Master deems it necessary in the interest of safety of persons and vessels or other property, and it shall be unlawful for any person to willfully fail or refuse to comply with any authorized State regulatory marker utilized by the Harbor Master, or

with any signal, orders or directions of the Harbor Master.

Sec. 10-7-2. Basic Speed Law. The operation of any vessel within the harbor area in excess of posted speed limits or, in the absence of such limits, in a manner to create a wash which endangers persons or property, shall constitute a violation of this Ordinance; provided that special written permission may be granted to conduct and engage in water sports and regattas in specific designated areas.

Sec. 10-7-3. Discharge of Refuse and Sewage. It shall be a violation of this Ordinance to discharge into the waters of the harbor any sewage, refuse, garbage or waste matter, petroleum or petroleum matter, paint, varnish, timber or any other foreign matter, including dead animals, fish and bait.

Sec. 10-7-4. Responsibility for Sanitation of Facilities. The owner, captain, lessee, agent, manager or person in charge of a vessel, facility or water area adjacent to or within a Cape Elizabeth harbor shall, at all times, maintain the premises under their charge in a clean, sanitary condition, free from malodorous materials and accumulations of garbage, refuse, debris and other waste materials. Should the Harbor Master find that any vessel, facility or water area is not so maintained, the Harbor Master shall, in writing, notify said owner, captain, lessee, agent, manager or other person in charge of said vessel, facility or area to immediately commence and diligently prosecute to completion of the necessary correction of the unsanitary condition to the satisfaction of the Harbor Master. Failure to do so with reasonable dispatch shall be a violation of this Article, and the Harbor Master may then cause the condition to be corrected and charged to said owner, captain, lessee, agent, manager or person in charge.

Sec. 10-7-5. Buoys. No person shall place buoys of any type, other than lobster pot buoys and marker buoys, within the boundaries of the mooring areas established by these regulations without written permission of the Harbor Master.

Sec. 10-7-6. Water Skiing. There shall be no water skiing within established mooring areas.

Sec. 10-7-7. Launch Ramps. Motor vehicles are not to be left unattended on or near launch ramps. All motor vehicles are to be parked only in designated areas and motor vehicle operators are to comply with all parking regulations as posted by the Town of Cape Elizabeth or the State of Maine.

Sec. 10-7-8. Liability.

(a) Vessel Owner: Any person using the facilities within the limit of a harbor or maritime facility shall assume all risk of damage or loss to his property and the Town of Cape Elizabeth assumes no risk on account of fire, theft, Act of God or damages of any kind to vessels within harbors or maritime facility.

(b) Secure Berthing and Anchoring of Vessels. The owner of any vessel moored or anchored within Cape Elizabeth harbors or maritime facilities shall be responsible for causing such vessel to be tied and secured or anchored with proper care and equipment and in such manner as may be required to prevent breakaway and resulting damage, and shall, thereafter, provide for periodic inspection maintenance, replacement and adjustment of anchor, mooring or tie lines at reasonable intervals.

Sec. 10-7-9. Unseaworthy Vessels Prohibited in Harbor. A person shall not moor or

permit to be moored, in any harbor, a vessel of any kind whatsoever which is unseaworthy or in a badly deteriorated condition or which is likely to sink or to damage docks, wharves, floats or other vessels or which may become a menace to navigation, except in cases of emergency.

Sec. 10-7-10. Correcting an Unsafe Berthing. If any vessel shall be found, in the judgment of the Harbor Master, to be anchored or moored with any harbor or maritime facility in an unsafe or dangerous manner, or in such a way as to create a hazard to other vessels, persons or property, the Harbor Master shall order and direct necessary measures to eliminate such unsafe or dangerous condition. Primary responsibility for compliance with such orders and directions shall rest with the owner of the improperly anchored or moored vessel or his authorized agent; in the absence of such owner or agent, said responsibility shall rest with the authorized operator of the facility at which the vessel is anchored or moored. In an emergency situation and in the absence of any such responsible person, the Harbor Master shall forthwith board such vessel and cause the improper situation to be corrected, and the owner of the vessel shall be liable for any costs incurred by the Town of Cape Elizabeth in effecting such correction.

Sec. 10-7-11. Removal and Custody of Illegally Berthed or Abandoned Vessels. If any unattended vessel shall be found to be anchored or moored illegally within a harbor or maritime facility, or if the Harbor Master has reasonable grounds to believe that a vessel has been abandoned within a Cape Elizabeth harbor or maritime facility, the Harbor Master may assume custody of such vessel and cause it to be removed and held or placed in storage. The Town of Cape Elizabeth or its officials shall not be held liable for any damage or loss to such vessel or its contents nor liable to its owner before or after assuming custody. Vessels so taken into custody shall be released to the owner by the Town Manager only after satisfactory proof of ownership has been presented and full reimbursement made to the Town for all costs incident to recovery, movement and storage.

Sec. 10-7-12. Damage to Harbor or Other Property. It shall be unlawful to willfully or carelessly destroy, damage, disturb or interfere with any public or private property in the harbor area.

Sec. 10-7-13. Tampering With or Boarding Vessels without Permission. It shall be a violation of this Ordinance for any person willfully to board, break in, enter, damage, move or tamper with any vessel or part thereof located within the harbor unless authorized by the rightful owner of such vessel. Violation of this provision shall constitute a misdemeanor, punishable by the penalties hereinabove provided for violations of this Ordinance and to additional penalties not to exceed the aggregate \$1,000 and six months imprisonment for each offense. Any person violating this provision shall, in addition, be responsible to the rightful owner of any such vessel for any damages caused by such violation and to the reasonable costs incurred as a result thereof including any attorney's fees.

Sec. 10-7-14. Obstruction of facilities. It shall be a violation of this Ordinance for any person to willfully prevent any other person from the use and enjoyment of the harbor facilities.

## ARTICLE VIII Enforcement and Invalidity

Sec. 10-8-1. Enforcement. Except as enumerated elsewhere in this Ordinance or as stated by the Maine Revised Statutes Annotated, violation of this Ordinance shall be punishable as follows:

a) Any person who shall violate any provision of this Ordinance shall be punished upon conviction, by a fine of not less than twenty-five (\$25.00) and not more than one hundred (\$100.00) dollars. All fines shall be paid to the Town of Cape Elizabeth.

b) Each day that such violation continues to exist shall constitute a separate offense. Any law enforcement officer vested with the authority to carry a weapon and make arrests shall have the authority to enforce this Ordinance.

Sec. 10-8-2. Invalidity Provisions. If any provision of this Ordinance is held invalid or inoperative, the remainder shall continue in full force and affect as though such invalid or inoperative provisions had not been made.

# **Attachment B**

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## **Cape Elizabeth Fishermen's Alliance November 2017 Recommendations for the Town of Cape Elizabeth**

November 17, 2017

To:

Cape Elizabeth Harbors Committee  
ATTN: Steve Harding (Clerk)

From:

Cape Elizabeth Fisherman's Alliance

Dear Committee Members and Councilors:

Our Coastline is such a fundamental part of Cape Elizabeth and it is encouraging that the Harbor Committees' members have worked so diligently. On behalf of the Cape Elizabeth Fisherman's Alliance (CEFA), thank you for allowing us to engage in this process and for the opportunity to present our concerns and propose solutions. We sincerely appreciate being called upon to provide local knowledge, history, and background.

Within Cape's roughly 90,000 feet of coastline (Google Earth), our access as commercial fishermen dates back more than 150 years and includes the eastern end of Crescent Beach, Kettle Cove, and 'Stump Cove'.

We hope the following recommendations might provide both supporting documentation for your own work and some level of expertise for the Town's reference in the future. Please take them into consideration, as you see fit, and attach them in full, in the record and report from this committee.

Sincerely,

Nate Perry, on behalf of,




The Cape Elizabeth Fisherman's Alliance



**Cape Elizabeth Fishermen's Alliance**

**Recommendations for the Town of Cape Elizabeth**

**Prepared for the Harbors Committee, November 2017**

<p><i>Long View Company</i> <b>Lobster Pound and Restaurant</b> <i>Greater Portland's Ideal Recreation Spot</i></p>  <p><b>KETTLE COVE</b> Crescent Beach - - Cape Elizabeth Maine</p>	<p>KETTLE COVE - as typically Maine as its rockbound coast - 7 miles from Portland on Route 77 - where delicious clear-water lobsters are on order.</p> <p>FREE BATHING, SWIMMING, PARKING RESTAURANT SERVICE SANDWICH BAR</p> <p><i>Toasted Lobster Rolls - Grilled Frankforts and Hamburgers Soft Drinks, Ice Cream, Candies, Coffee</i></p> <p>COTTAGES - WEEK OR MONTH Kettle Cove - 4-6348 H. C. NEWELL, Mgr., Res. 4-0596</p>
	<p><i>How To Get There</i></p> 

### Summary of Recommendations

1. Please note in the report that the Harbor Committee (HC) supports the Crescent Beach (CB) access repair on Kettle Cove Rd and include all available documentation of the effort so far; including that which precedes the committee. The HC might also offer some basic “next step” guidance with regards to process.
2. We recommend the HC include in it's report, support for the implementation of an 'Emergency Vehicle Only/Turn-Around Only' parking space, previously coordinated between the WETeam, CEFA, and the Department of Parks and Lands. The sign will be provided and installed by the Park.
3. The HC acknowledge in its report, those specific reasons why commercial vessels are typically assigned protected and deeper moorings in Kettle Cove (KC); and the reasons why the commercial fleet is dependent on the adjacent 'Stump Cove', for launching, loading, and parking.
4. The HC provide in its report details as to the physical boundaries of lands used as waterfront access points, corresponding jurisdictions, and maintenance and enforcement responsibilities between public agencies state, municipal, and private (i.e. violations, snow removal, etc.)
5. The HC acknowledge the issues of overcrowding at KC State Park, the Parks current efforts to encourage use of the adequate parking resources and newly available hand-carry launching at CB State Park, and consider the potential role of the Town in these matters.

\*The following pages contain background and justification supporting each of the above recommendations.

## Recommendation One

**Please note in the report that the Harbor Committee (HC) supports the Crescent Beach (CB) access repair on Kettle Cove Rd and include all available documentation of the effort so far; including that which precedes the committee. The HC might also offer some basic “next step” guidance with regards to process.**

The current dirt ramp onto the launching/parking areas on CB is deteriorated and frequently washed out. This ramp is very steep and users regularly get stuck and/or damage trailers and vehicles. In addition, the location of the drainage culvert from Kettle Cove Rd erodes a deep and foul smelling stream down the entire slope of the beach. After rain events, any egress west from the road is completely blocked for most types of vehicles. Seaweed, which usually washes ashore during weather events and big tides, also tends to block-in this corner of the beach. It is worth noting that both commercial and recreational permitted users and mooring holders, who have paid specifically to use this access, frequently cannot.

We also urge that the (HC) recommends to the Town Council and Town Manager, consideration of any potential accelerated process for the access restoration/repairs. This access was originally maintained thru agreements between Fishermen and Land Owners. In 1959, the Department of Parks and Lands began to purchase these parcels of land for CB State Park, promising in several letters and publications, access rights would always be maintained for local fishermen. It's only in the last 20 years that this access has been blocked and allowed to over-grow.

Currently, there is support from the Department of Parks and Lands, goodwill towards the plan by fishermen and neighbors, and multiple funding opportunities available. It would be a wasted opportunity for the Town to let this moment pass, as personnel could change at the Park service and/or funds could dry up.

This is a rare second chance opportunity for Cape to reclaim valuable waterfront access. Reopening of the traditional fishermen's access, as an improved CB access, is a chance for the Town to thoughtfully address the increased use of KC and CB resources.

## **Recommendation Two**

**We recommend the HC include in it's report, support for the implementation of an 'Emergency Vehicle Only/Turn-Around Only' parking space, previously coordinated between the WETeam, CEFA, and the Department of Parks and Lands. The sign will be provided and installed by the Park.**

This issue has already been considered and agreed upon by the Cape WETeam, CEFA, and Park Managers. The Park has agreed to provide and install a low profile wood-beam parking stop with embedded 'emergency only/turn-around' wording. The Town might consider helping to enforce this policy, once the space is clearly marked.

### **Recommendation Three**

**The HC acknowledge in its report, those specific reasons why commercial vessels are typically assigned protected and deeper moorings in Kettle Cove (KC); and the reasons why the commercial fleet is dependent on the adjacent 'Stump Cove', for launching, loading, and parking.**

Most of the commercial fleet utilizes mooring space in front of Kettle and Stump Cove, south and east of 'Crowell Rock', with some smaller vessels seasonally located in the CB mooring area. Current policy leaves the assignment of requested mooring spaces solely at the discretion of the Harbor Master.

We strongly recommend that these mooring births continue to be reserved for those commercial vessels, which in order to operate safely year-round, require protection from easterly weather and close proximity to the Stump Cove launch.

In addition, the primary launch for commercial vessels is in Stump Cove, with some smaller vessels using CB. KC beach is also infrequently used to temporarily beach boats for maintenance, take out lobster gear, or repair/inspect mooring tackle.

The commercial fleet is dependent the Stump Cove access for the vast majority of it's day to day work, because of it's proximity to commercial moorings and protection for launching and loading. The dirt area at the beach head has always been commercial truck/trailer parking.

It could be noted that with this limited space, when more than eight commercial users work at the same time, there is not enough trailer parking. This means only about a third of commercial users launching at once, will exceed the available parking space.

This issue was also discussed in the 1988 Harbor Report. The following page contains some excerpts from that section:

COMMITTEE'S PRELIMINARY REPORT

CAPE ELIZABETH HARBOR ADVISORY COMMITTEE  
PRELILMINARY REPORT

March 9, 1988

Major Kettle Cove Issues

The major land side issues at Kettle Cove fall into four general categories:

1. Competition between commercial fishermen and pleasure boaters for use of the facility;

1. Competing Uses:

Commercial fishermen have for years launched their boats and brought their catch up at Stump Cove, which is the narrow gravelly area to the right of the parking lot as one enters. The area is small, with room at low tide for only one small boat, and at high tide, not more than two.

-8-

The committee believes the Stump Cove problem will be solved by restricting the area to persons with a commercial fishing launching permit. The beach parking problem will be greatly lessened if vehicle access to the beach is permitted only in connection with the launching of a boat and only for those with a launching permit.

The committee recognizes the needs of both groups to use the Kettle Cove area for water access and believes that if the commercial fishermen and the pleasure boaters could get to the water at different launching sites, and if each could have their own separate parking area, many of the problems of the competing uses would be alleviated.

#### **Recommendation Four**

**The HC provide in its report details as to the physical boundaries of lands used as waterfront access points, corresponding jurisdictions, and maintenance and enforcement responsibilities between public agencies state, municipal, and private (i.e. violations, snow removal, etc.)**

Although definition and precedence may be understood between certain town and state officials, it would be beneficial for the public and for management, to have a clear understanding of where property lines are located and who has responsibilities for maintenance and enforcement.

## Recommendation Five

**The HC acknowledge the issues of overcrowding at KC State Park, the Parks current efforts to encourage use of the adequate parking resources and newly available hand-carry launching at CB State Park, and consider the potential role of the Town in these matters.**

The variety of uses and volume, has increased considerably since (and as was predicted by) the 1988 Harbor Report and trends would suggest that this increase will only continue. As such, it is only natural that visitors arriving at a crowded park, try to utilize whatever options 'appear to be available' for parking, launching, picnicking, etc. In addition, it has been observed that Crescent Beach State Park rarely exceeds half its parking capacity.

Changes to policy by the Park are currently underway to promote hand-carry/roof-top water craft to launch through CB State Park. Although perhaps slightly outside of it's charter, the HC could recommend that the Town support this change, perhaps via the Cape Courier or Town website, as some outreach might help alleviate parking/stopping/standing conflicts on Kettle Cove Rd, and reduce traffic in the surrounding neighborhoods.

This issue maybe broader than the Committee's charge, but solutions will directly improve waterfront access.

For the last two summer seasons the State Park, even while dealing with a major reduction in personnel, has had to commit a ranger to the Kettle Cove parking lot every day. Their time is spent trying to direct users through the bottle neck of incoming traffic. If they have to leave their post for even a moment, visitors quickly pull into the commercial lot or stop to unload, often backing up traffic towards Fessenden Rd.

Ultimately, Kettle Cove State Park policy is determined by the Department of Parks and Lands (whether at the local or regional level). However, the Town could play a constructive role, expending minimal resources, that would benefit its residents greatly. The original concept of keeping a quiet place for residents to enjoy 'The Cove', has undeniably devolved into a free beach for non-resident beach visitors to park and/or picnic for the day.



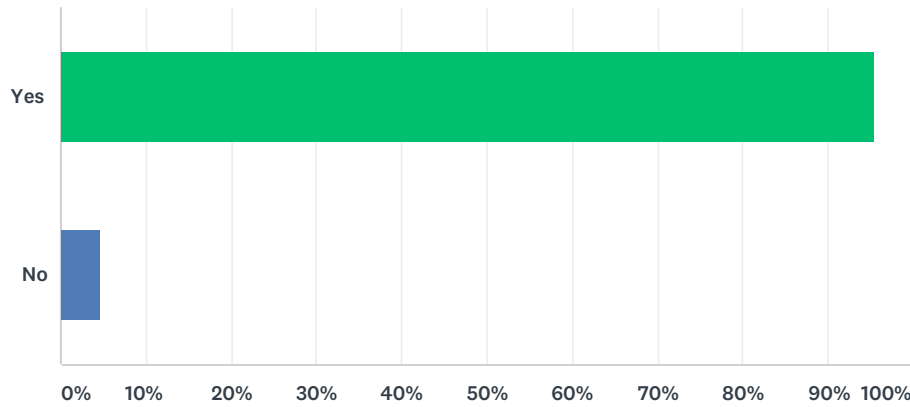
# Attachment C

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## Cape Elizabeth Shoreline Access Survey Results

# Q1 Are you a year-round resident of Cape Elizabeth?

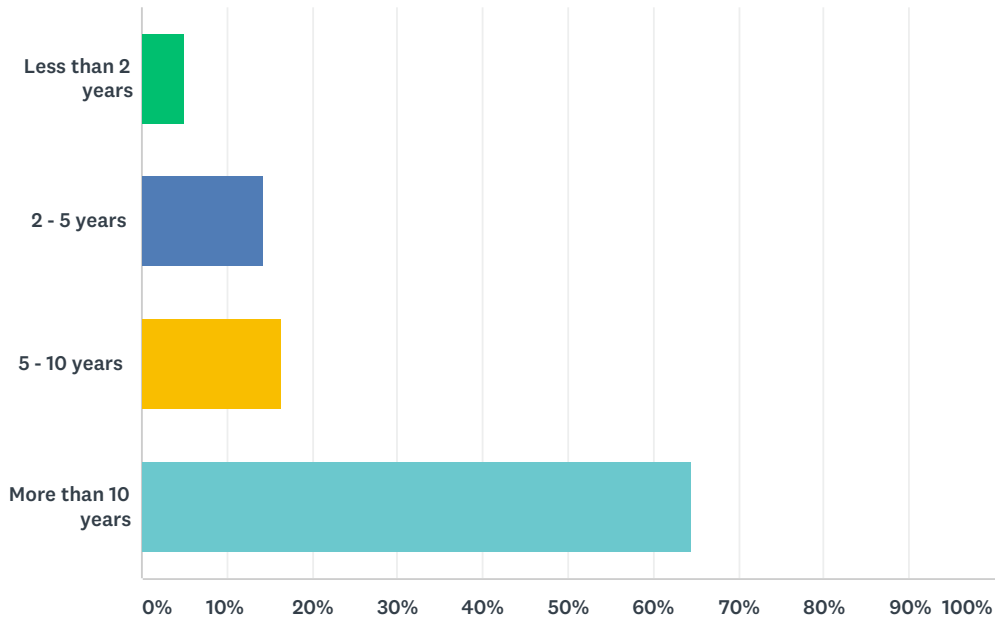
Answered: 495 Skipped: 2



ANSWER CHOICES	RESPONSES	
Yes	95.35%	472
No	4.65%	23
TOTAL		495

## Q2 How long have you lived or summered in Cape Elizabeth?

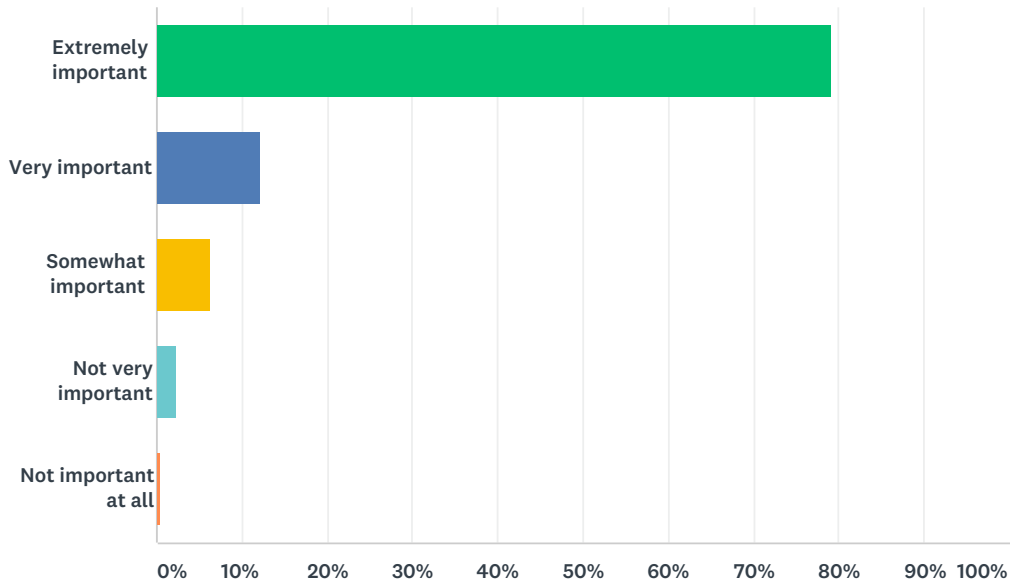
Answered: 494 Skipped: 3



ANSWER CHOICES	RESPONSES
Less than 2 years	5.06% 25
2 - 5 years	14.17% 70
5 - 10 years	16.40% 81
More than 10 years	64.37% 318
<b>TOTAL</b>	<b>494</b>

### Q3 How important is your public access to the Cape Elizabeth shore?

Answered: 497 Skipped: 0



ANSWER CHOICES	RESPONSES
Extremely important	79.07% 393
Very important	12.07% 60
Somewhat important	6.24% 31
Not very important	2.21% 11
Not important at all	0.40% 2
<b>TOTAL</b>	<b>497</b>

#	ADDITIONAL COMMENTS	DATE
1	Plenty of ways to access waterfront already	9/16/2017 8:34 AM
2	Shoreland is a very important resource for the community. Commercial fishermen, recreational fishermen, surfers, swimmers, boaters and walkers all benefit from access to the ocean.	9/15/2017 8:17 PM
3	Do not think trails should impinge on anyone's backyard.	9/15/2017 1:17 PM
4	I feel it is important for ALL to enjoy the beauty of the sea and reflect on how fortunate we are to live in this area. It is also necessary to respect and maintain the area so others can do the same.	9/14/2017 4:17 PM
5	To me, this is a defining wonderful characteristic of Cape Elizabeth, and the primary reason we have decided to stay here in our retirement years, as full tax payers	9/14/2017 9:44 AM
6	Only where that access does not violate landowners private property	9/13/2017 6:21 AM
7	We have access to a private beach and want that beach to remain private	9/9/2017 7:16 AM
8	Public access is why we moved here in specific.	9/8/2017 11:01 AM
9	including public beach, or state owned	9/8/2017 9:23 AM
10	plenty of shore access today in Cape Elizabeth. Thank you!	9/7/2017 1:00 PM
11	If the shoreline access is not on private property, I enjoy walking along the ocean front.	9/7/2017 11:04 AM
12	We have plenty now	9/7/2017 9:45 AM

13	But not if access effects private property rights or value. I value Ft. Williams, Kettle Cove, Trundy Point, Two Lights State Park, and Crescent Beach. We in Cape Elizabeth are surely not underserved re shore access.	9/6/2017 3:56 PM
14	We have beautiful parks and beaches	9/6/2017 3:21 PM
15	We have great access.	9/6/2017 2:53 PM
16	I am a commercial fisherman so public access to the shore is a necessity for my livelihood	9/6/2017 6:32 AM
17	Our access to the "Cape Elizabeth Shore" is private and limited to Cliff House Beach, so called. therefor we do not need "public access to the Cape Elizabeth shore" in a general sense. Nevertheless, We are concerned over the fact that a very substantial number of non-resident individuals as well as some Cape individuals without deeded rights do access this Beach area (in the Ottawa Park development). by car and other means, clogging traffic on Sea View Avenue easterly of Glen Avenue and and very often utilizing and trespassing upon private property in the process .	9/4/2017 7:27 PM
18	Additional public access to the Cape Elizabeth shore is not important and not needed. The public already has several wonderful options for accessing the shore within the town of Cape Elizabeth, including Fort Williams, Two Lights State Park, and Crescent Beach State Park.	9/4/2017 7:57 AM
19	We were looking for a sea side community with easy accessibility to the water. Cape Elizabeth won hands down.	9/3/2017 9:55 PM
20	I am a 3rd generation Portlander, my daughter 4th. My grandmother was born here in 1912. She used to take the "street car" over to SP and access all the beaches over here. I was raised visiting the shores of Cape Elizabeth and now I live here. Let's leave public land, public land.	9/2/2017 7:41 AM
21	Why pay the higher taxes of living near the shore if you cannot easily access it.	9/1/2017 9:15 AM
22	Open space and shore access allow the entire community to enjoy the natural beauty of Cape.	8/30/2017 9:12 PM
23	For years private waterfront owners and abut tors have harassed residents about accessing public right of ways to shore access, this needs to stop. Do not give up paper road rights for the public and contribute to the dwindling access to our shore. It will soon be available only to the extremely wealthy, who do not understand or accept that everyone has access to the shore for fishing and fowling regardless of ownership.	8/30/2017 8:31 AM
24	While access is important, we have plenty of access currently. Taking advantage of paper streets that impact existing homeowners is a bit backhanded.	8/29/2017 2:41 PM
25	We have multiple public beaches, both pass-entry and free, as well as the fort.	8/29/2017 8:38 AM
26	Please keep public access. Not all Cape land owners are kind.	8/29/2017 7:30 AM
27	It is why we chose CE 30 years ago..because the town seemed dedicated to equal access for all to enjoy the beautiful coastline and water	8/28/2017 4:59 PM
28	Cape Elizabeth is very special in that it is both rural with farms and fields, and at the same time laden with a multitude of private accesses to the ocean waters, whether they be rocky shores, beaches, or locations to put in or fish. We have always shared with those within this community. I think it would be different if those from other communities decided they, too, should have constant access to our shores. We must continue to allow access to those who live here.	8/28/2017 9:43 AM
29	Public access to water bodies and Cape coastline is critically important.	8/28/2017 9:34 AM
30	There is enough public access in Cape.	8/23/2017 10:41 AM
31	We have a 175 wide easement in our deed. I don't see how Casino beech is any different. Several years ago one of the neighbors tried to close our beech to us, and we went before the council. It actually didn't go anywhere after it was tabled the first meeting, and the neighbor realized he didn't have a chance the next meeting.	8/21/2017 4:03 PM
32	There is plenty of public access.	8/19/2017 12:01 PM
33	I am pleased that the shore is readily available to the public. In small neighborhoods such a Shore Acres I am delighted that a beach and Trundy Point is there.	8/19/2017 10:05 AM
34	Access to the ocean is a large reason that we chose to live here.	8/18/2017 11:07 AM
35	Residents should have recreational access to as much of the waterfront as possible. Commercial access belongs elsewhere--south portland or portland.	8/18/2017 7:46 AM

36	I do believe private roads should be obeyed and that residents should always use only public access points, which should be encourage by the town .	8/17/2017 10:53 AM
37	It's one of the main reasons for our living in this town. It is extremely important to maintain town-owned public access for all.	8/14/2017 3:10 PM
38	Shoreline access is extremely important to Cape Elizabeth and one of the reasons i moved my family to town. its unique and valuable	8/14/2017 12:57 PM
39	because there is already plenty of access available	8/14/2017 7:39 AM
40	The reason for moving to cape	8/13/2017 10:07 AM
41	My wife and I own sea kayaks, and we enjoy being able to put in along the Cape Elizabeth shore and paddle for recreation and exercise. It is very important to us that traditional public access to the shore be preserved for future generations.	8/13/2017 9:43 AM
42	Note - this comment has nothing to do with the paper street arguments; I live across from Two Lights State Park, so we have plenty of public access spaces to the shore. Unless we're going to build a marina, there's not much else we can do about access for power or sailboating.	8/13/2017 6:37 AM
43	Public beach access and the schools were the two reasons we re-located to Cape.	8/12/2017 6:26 AM
44	the town has done a terrible job in preserving Ft Williams for its citizens. It is now the last place you can go for peaceful relaxation and enjoyment of the ocean. A town treasure has been gievne over to cars, exhaust fumes, pavement, hoards of non residents, hot dogs stands etc. We should just bit the bullets and sell it all to a developer and make some taxes	8/10/2017 8:34 AM
45	Public access to shoreline is one of the main reasons we bought our property in the Broad Cove neighborhood.	8/9/2017 6:44 AM
46	One of the major reasons we bought the house we currently own is the access to the ocean.	8/9/2017 6:31 AM
47	This is the most precious town asset that and why we live in Cape Elizabeth. Giving away any town rights or any open access is disturbing and unjust. Do not give away the most beautiful part of nature that we own as a town.	8/9/2017 5:45 AM
48	public access to the shore is available from many locations; it is extraordinary	8/8/2017 8:18 PM
49	I live in Shore Acres. For 34 years. I want to continue to make Surfside Ave ( the whole thing thru Atlantic Place) available to walk on. There has been a trail there for over 100 years. It does not run across peoples' back yards.	8/8/2017 1:04 PM
50	Access to the coast is the primary reason I live in Cape Elizabeth, and frankly, is what distinguishes Cape from similar towns like Falmouth, Cumberland, Yarmouth, and Freeport, which have little public access to the ocean, notwithstanding miles of shorefront properties.	8/8/2017 12:44 PM
51	Cape Elizabeth has a abundance of shore access for residents.	8/7/2017 8:59 AM
52	Cape has great opportunities for shore access.	8/5/2017 6:47 PM
53	Access to the shoreline is what attracted us to Cape Elizabeth. We debated between several communities in the greater Portland area...and finally settled on Cape due to water access & public lands (Greenbelt trails).	8/5/2017 5:45 PM
54	The beautiful coastline and associated activities are primary reasons we have chosen Cape E as our second home.	8/5/2017 8:57 AM
55	However, dog access should be severely restricted; none allowed on beaches during summer season, regardless of time of day.	8/4/2017 4:21 PM
56	Why pay excessive taxes of Cape without access to its biggest feature, the ocean. Schools are solid but without the shore I can live in Yarmouth for less.	8/4/2017 10:37 AM
57	Public access for everyone to the shore should be a right. No landowner or homeowner should able to block or prevent access to the shoreline, if people have a legal means to be there. Where I grew up, in San Mateo County, CA, Access to the shoreline was a right for everyone. If you had public access, of which there were many, you could use the beaches anywhere you could walk. Here, people put private property signs along the beach to try and intimidate people who have a right to walk along the shore from a legal access point. This needs to change.	8/4/2017 7:54 AM



58	The fact that you are considering giving away over two million dollars worth of town land with "access" for all to the ocean away because of a few wealthy new residents is a shame...Why ask us to fill out this survey Councilor Caitlin Jordan if you have already made up your mind. with your vote on July 10th....what if this was farmland on Pilot Point Road...would you give it away despite the wishes of the other 9000 residents of the town?	8/3/2017 7:19 PM
59	Public access to the shoreline is an essential part of what makes Cape Elizabeth the town that it is. Town government needs to think long and hard about what the heart of this town's character will be going forward. Will we be a town that more concerned with those that have money, connections and the means to influence policy or will be a town that recognizes and celebrates the ENTIRE community's access to the shoreline.	8/2/2017 8:14 AM
60	Public water access in Cape Elizabeth is one of the key reasons why I chose to buy my home.	8/1/2017 8:40 PM
61	Public access to shoreline, ocean Vista views is becoming a commodity for those that have the means too afford it. Public officials who are elected by the town residents need to represent /consider the wishes of all townspeople who express the wish to have greater access to the shore.	8/1/2017 7:53 PM
62	I live in Broad Cove I enjoy our beach (deeded beach rights to BC Beach), but due to the traffic flow in our neighborhood, I take my daily 4 mile walk with our dog(s) over the last 18 years in Shore Acres where people drive more slowly, and dog and I play fetch off their beach every morning.	8/1/2017 6:41 PM
63	We purchased our home here because we have access to Broad Cove, Trundy and all the wonderful Green Belt walks. It as a huge reason to buy here and not in Falmouth or other regions around Portland.	8/1/2017 1:44 PM
64	We believe every resident of Cape Elizabeth has the right to access to the shore, except in specific situations, and that the town should resist the wishes of homeowners who would prefer to prohibit public access to traditionally public shoreline.	8/1/2017 10:03 AM
65	It's one of the main reasons we moved to Cape Elizabeth. Public access to the shoreline, beaches in Cape Elizabeth (and greater coastal Maine for that matter) was essential to our decision.	8/1/2017 8:15 AM
66	It is one of the primary reasons we chose to purchase a home in Cape Elizabeth.	7/31/2017 9:10 PM
67	Unfortunately Maine set up there shore laws long ago. If we were Oregon we would all have access and there would no builds about to collapse into the ocean. What the council did is in line with current US administrations attitude and they should be dismissed of there duties.	7/31/2017 7:25 PM
68	Walking by the shore is good for our physical and mental health. Many people live in Maine because of its natural beauty and wildlife. Blocking access to the ocean and opportunities to walk in circular routes, shuts off access to two very important components that foster our high quality of life. Wealth should not enable homeowners to end access to the ocean, which in not owned by individuals, but a global resource.	7/31/2017 5:34 PM
69	The rocky coast of Cape is why I moved here a few years ago after 40 years in Portland. Being able to walk along Surfside Ave in Trundy Point and watch the waves crashing is why I bought the house I did. The house itself is fine, but it's being less than a 1/4 mile to the shore that brought me here.	7/30/2017 7:40 PM
70	Public access to the shore defines us as a community. I was stunned to read that the paper street access in Shore Acres might be eliminated. I can't understand why the town would ever vote to repeal public access? There are a some publicly visible access spots with ample parking such as Crescent, Ft. Williams, Kettle Cove, Two Lights, but the remainder are gems that the locals treasure. Please don't take those away!	7/30/2017 10:12 AM
71	The east coast does not have a strong record of providing public access to our shorelines. The west coast is much more accessible to the public and I once enjoyed living in a state that prioritized access. I think it should be a high priority of Cape Elizabeth to maintain and improve public access to our shorelines. This is a highly valuable resource and should be available to the public wherever and whenever possible.	7/29/2017 5:58 PM
72	We have just reached two years and know very little about public/resident access to the shoreline.	7/29/2017 4:54 PM
73	We have wonderful, quiet and well kept access points to the shore. It was an influence in not only purchasing our home but inviting friends to move from other towns. Now people are pushing that access over the importance of those families. We have plenty of access to the shore. Let's keep and improve not push people away.	7/29/2017 4:46 PM
74	If you give the affluent/wealthy homeowners exclusive water access, you are only going to engender bitter resentment, distrust and anger from the rest of Cape residents.	7/29/2017 2:18 PM

75	It's one of the reasons we moved here and stay here	7/29/2017 12:24 PM
76	I am a member of casino beach which can be legally accessed by deeded rights and is not accessible to the general public so it does not concern me if I have PUBLIC access to the water, but do believe any paper rights do belong to the town for residential public use and you should not take this away from the residence's of the town. Non residence's should not be allowed on paper street trails. If I want to use public access I visit fort Williams.	7/29/2017 10:15 AM
77	Too much of the shore is private or accessible through state park. It would be nice to have access for trail running and trekking.	7/28/2017 8:02 PM
78	We are lower income and live on Ocean House Road away from the water. We pay our taxes and contribute to the community.	7/28/2017 2:10 PM
79	It is one of the reasons I live/remain on the Maine coast and in Cape Elizabeth.	7/28/2017 10:53 AM
80	The shore and access to it in the main reason my wife and I retired here. Ready access to it is one component of the property values and therefore of my contribution to Town revenues.	7/28/2017 9:19 AM
81	I believe the ocean is for all to share and the public should not be prevented from accessing it.	7/28/2017 5:35 AM
82	I moved here from California, where entire shore has public access. The more access, the better. We need to fight private enclaves	7/27/2017 9:09 PM
83	So much of the shoreline is not accessible What percentage is accessible?	7/27/2017 6:25 PM
84	Public access is so important because not everyone can afford an oceanfront home. Why should the rich be the only ones who can enjoy a walk along the shore.	7/27/2017 2:34 PM
85	We are fortunate to live near the ocean (Shore Acres), so access is readily available. So is Kettle Cove, Crescent Beach, and Ft. Williams, with its fabulous cliff walk. We are not under served here in Cape Elizabeth.	7/27/2017 12:41 PM
86	First, I am shocked and angered by the subversive actions of Town Councilor Caitlin Jordan, and for supporting her: Councilors Sara Lennon, Patty Grennon and Penny Jordan on moving to give away priceless town property. As in the above Councilors move to vacate Town owned Paper Streets in Shore Acres at the July 10th meeting. The move was clearly orchestrated in a strategic manner to avoid public scrutiny and circumvent established Council procedure as well as acting against the recommendations of the CC Committee and the vocalized will of the majority of citizens. It frankly smacks of collusion. The importance of my (and my family's) public access to the Cape Elizabeth shore cannot be stressed enough! We live in Broad Cove (9 yrs) not far from the entrance and one of the main reasons we moved here was the proximity to the public shoreline - beaches, paths, cliff walks, etc. We also live on a paper street- we are the only house. Our street was not vacated because it was a potential greenbelt extension - and is an extension by defacto (people use it as such). The paper street (Pine Ridge @ Broad Cove) connects our driveway to Broad Cove and it would be nice to have it private as our own, but I would never want to deny access to trail users. It saddens me to learn that our town leaders (who I voted for and believed worked for the greater public interest) are pushing the interests of a few over the rights of the vast majority of Cape citizens.	7/27/2017 9:27 AM
87	We access it for recreational purposes. Wr live nearby.	7/27/2017 9:00 AM
88	Do not vacate town rights to paper streets that provide public access to the shore	7/26/2017 7:49 PM
89	I am dismayed by the lack of actual access, even when I know there is legal access	7/26/2017 3:53 PM
90	Public access is one of the reasons we chose Cape Elizabeth and continue to stay here. Neighborhood access points inance desirability of area for all residents.	7/26/2017 10:28 AM
91	Cape Elizabeth facilities and State Park land afford plenty of access points but not enough for boat launching. Private shoreland beaches that have deeded access to them should be protected by the Town. Town policy appears to favor imposing public interests, such as Greenbelt and paper streets that erode private shorefront and private beach access.	7/26/2017 6:51 AM
92	Our shoreline is beautiful and looking at the water is both serene and inspiring.	7/25/2017 9:54 PM
93	Important- we have plenty of wonderful places to access the shore.	7/25/2017 8:52 PM
94	Our family feels access to Trundy beach, Kettle Cove, Crescent Beach within five minutes of our home is an embarrassment of riches. We are fortunate to have so many beaches to choose from.	7/25/2017 8:43 PM
95	The Town and its representatives have a fiduciary duty to preserve all rights of all public ways that provide access to the Maine coastal waters. If paper roads were made in a concession or for the purposes of creating access for emergency vehicles.	7/25/2017 8:31 PM

96	Fine as is!	7/25/2017 8:10 PM
97	Public access to the shore is part of the reason we purchased in Cape	7/25/2017 7:36 PM
98	It is fun to hear about the generations of people who have lived in our neighborhood who have spent the childhoods swimming and hanging out at Cliff Beach. My daughters childhood would not be quite as wonderful as it already is if she didn't have Cliff Beach to walk to. We are blessed with this access. Please maintain it and if anything improve the steps leading to the shore.	7/25/2017 6:07 PM
99	There is no good community based reason to restrict access to the shore.	7/25/2017 4:02 PM
100	Shoe access is a reason we live in Cape Elizabeth.	7/25/2017 2:49 PM
101	Access at public landings is important for boaters, and fishermen and women. But putting a public walk on the rocks in front of peoples private property goes too far	7/25/2017 1:46 PM
102	The Town should not give up any public rights to the shore, including anything in which it has a right, such as fee ownership, easement rights, conservation easement rights or paper streets.	7/25/2017 12:55 PM
103	With the definition of "cape" meaning a crop of land that juts out into water, the town of CAPE Elizabeth's border is coastline. There residents of Cape Elizabeth should have public access to beaches and boat launches.	7/24/2017 6:23 PM
104	ACCESS TO THE SHORE IS ONE OF THE TOP REASONS FOR LIVING IN C.E. IT'S A FACT THAT FOR DECADES THE WEALTHIEST OWNERS ALONG ANY COASTLINE HAVE SOUGHT TO RESTRICT PUBLIC ACCESS. THAT IS CERTAINLY THE CASE NOW IN OUR TOWN. WE NEED TO PROTECT ORDINARY CITIZENS' RIGHTS TO ACCESS AND VIEWING OF THE OCEAN.	7/24/2017 8:29 AM
105	We moved to CE, in large part because of the proximity to the coast and access to the water. While the public beaches are wonderful, it's the smaller, less known and less crowded spots off the beaten track that are the real treasure. This is what makes Cape unique to other southern areas - the incredible rocky coastline untouched by development and accessible to all.	7/22/2017 8:57 AM
106	This is the main reason we chose to live in cape Elizabeth	7/20/2017 5:05 AM
107	Given the current disagreement among residents (and among Town Councilors) regarding "paper streets" I believe it is incumbent upon the town to maintain control of these streets in the best interests of the Cape Elizabeth community as a whole, and not just to give a minority of property owners rights to those streets.	7/17/2017 8:55 AM
108	The most valuable asset to all our neighbors over the years has been Surfside Road (Shore Acres). My sons and I explored there daily when they were young and we still visit often. I am an artist and I also paint there. Our neighborhood was created by its founders with the thought that the beautiful views be enjoyed by all. Please do not take something so special away from us just to appease the few wealthy members of our community who live near Surfside Road. They knew this path was open and used by others, they paid a cheaper price to purchase their homes here and they pay less taxes. Now they just want more. I can also say that many of these homeowners have been incredibly unkind to the the rest of us neighbors including using foul language at us, spitting in our face (one instance to a very kind 70 year old female neighbor), removing and stealing \$1500.00 of gravel and undoing days of labor by neighbor volunteers to resurface Surfside Road that is done annually and following/taunting neighborhood leaders. Our neighborhood has been very close and happily enjoyed the beauty it contains together until these newer, wealthy neighbors moved in and decided they did not want any one on these paths near their home used. It has been very sad for all of us. Please keep the neighborhood how it was intended and respect Cape Elizabeth's values related to access to open/beautiful spaces.	7/17/2017 8:15 AM
109	One of the things I most love about Cape is the way we have protected open spaces not just for the most wealthy to enjoy but for all who are physically able to enjoy.	7/17/2017 7:22 AM
110	Cape Elizabeth is all about the coast. I moved to Cape in 1964 and have enjoyed the ocean, the coast, the beaches, events, and the neighborhood for many years. Especially Surfside Avenue in Shore Acres. This is now Surfside Avenue and Atlantic Place. My family and neighbors grew up playing and walking on Surfside Avenue/Atlantic Place, climbing on the rocks, swimming, etc. This resource should be shared with all and not just accessible by those who live in Shore Acres. Since the town has rights to the paper street already, it should be accepted and preserved for future generations and all to enjoy. What a great addition to the green belt trails this would make for the southern end of town. Please do the right thing and vote to accept the paper street to permanently preserve this wonderful cliff/beach walk.	7/16/2017 11:48 PM
111	Access to the shore and the sea is a vital, humanizing option we must protect for both ourselves and future generations, not allowing a few to monopolize this gift.	7/15/2017 9:16 PM

112	Far too much of Maine is private coastline. Good public access is essential to the quality of life for Cape residents and visitors.	7/15/2017 12:47 PM
113	I would like to see access to kettle cove boat ramp to include residents. Not just commercial fisherman.	7/14/2017 10:02 PM
114	Scarborough beaches as well. Hard to park at Kettle Cove	7/14/2017 1:30 PM
115	Cape Elizabeth already offers a abundance of ocean access and no more is needed.	7/14/2017 9:54 AM
116	The shore in Cape Elizabeth is one of the things we love the most. We believe it is one of the most important obligations for the town to provide access to the town residents and also to the larger community.	7/14/2017 7:44 AM
117	My husband and I have lived in Cape Elizabeth for 36 years. We have watched our taxes rise ten fold in that period but we stay here because we love Cape Elizabeth and the beautiful coastal areas that are accessible to everyone. Keep our paper streets . Do not give in to the wealthy landowners that have the money to do anything to keep it from public access.	7/13/2017 9:48 PM
118	We visit the Cape shore frequently because we want our children to grow up having respect and a connection with our town's natural treasures so they will enjoy and protect them for the next generation...whether or not they are "waterfront" home owners or working the waterfront. We also use the shore for exercise and recreation.	7/13/2017 7:18 PM
119	It is the reason I moved to Cape Elizabeth	7/13/2017 6:58 PM
120	In Maine, as in most of the country, the rich have access to 99% the coast. Only discrete, often poorly known and difficult access points are available to the public. Why should 1% of Mainers have control over 99% of these lands, except for greed?	7/13/2017 1:53 PM
121	It is unbelievable that the Town Council is about to vacate Surfside Ave. Does citizen comment really matter? This survey, the work by past Councils, the Planning Board, the Conservation Commission, and all the town residence that say they love Cape's trail system is a waste of breath. Why bother. I'm not best friends with Sara or Patty (like the Khalidis)- so my comments do not matter. So, if we all say we want public access to the shore, this will change anti-access Councilors minds? Ha ha ha. It will be a very sad day for Cape Elizabeth when Surfside and Atlantic Place are turned over to ten residents instead of remaining public for all residents to enjoy. What's next, a gate and security cameras?	7/13/2017 1:00 PM
122	Cape Elizabeth, by its very definition and geography, has extensive shoreline, but much of it is off limits to public access. Don't lose remaining access points!	7/13/2017 11:21 AM
123	Thank you for this committee. It is mind-boggling to me how the majority vote of town council would go in the direction of losing public access to CE shoreline . Hopefully the results of this survey will show that CE shoreline access is important to residents and forward movement of the town will support same.	7/13/2017 9:54 AM
124	If the Town does not preserve its existing rights to paper streets on land that provides shoreline access, then this land will eventually fall under the control of the abutters who will do all they can to control who has access to it. They will control access for their own use and keep the rest of the public out. We saw something like that happen to access to Secret Beach in the Broad Cove neighborhood.	7/13/2017 8:50 AM
125	The shoreline of Cape Elizabeth is the reason that many of us live and work here. It belongs to all of us.	7/13/2017 7:55 AM
126	Cape Elizabeth's stretch of shoreline is one of it's most striking and important features.	7/13/2017 7:08 AM
127	We have excellent public access - Ft Williams, Crescent Beach, Kettle Cove.	7/13/2017 5:56 AM
128	We have ample shoreline access, but don't need to create more at the expense of private property rights.	7/12/2017 10:25 PM
129	Access to the shore is very available in Cape Elizabeth. There many access points geared for the public.	7/12/2017 8:39 PM
130	50+ years in CE and I don't appreciate when people from away put up fences. What drew them here in the first place?	7/12/2017 8:33 PM
131	All access for me and our family can be secured through the existing public and state park shoreline access points.	7/12/2017 8:27 PM
132	One of the reasons we decided to choose Cape for our home town. Add to the quality of our life.	7/12/2017 8:20 PM

133	Our ocean overlook is the first place we take our visitors because we never tire of its changing beauty.	7/12/2017 7:23 PM
134	People move here and vacation here because of the beauty of the shoreline, farms and open space. Why the town councilors would "shoot themselves in the foot" by voting to limit this access in favor of a few rich people in the community is beyond me.	7/12/2017 6:29 PM
135	Our family has walked along Surfside and enjoyed the experience for many years. Let that continue for any Cape resident.	7/12/2017 6:26 PM
136	We have deeded access rights to the shoreline in Shore Acres which 5 rich shoreline owners are trying to block from the 150 houses in our neighborhood with the collusion of several town councilors. This access should not be blocked; we do not want to turn Cape's shoreline into Marblehead with locked gates and electric fences.	7/12/2017 6:16 PM
137	Access to the shore is very important to our citizens. Although we are famous for having Fort Williams, it should not be the only access to the ocean and as the shoreline properties become increasingly exclusive and developed, the town should not lose any incipient rights that it has to the shore. The time will come when it is all gone and , I believe, citizens will wonder why the town discounted the strong response that the citizens had to the accepted green belt plan and vacated such a valuable asset.	7/12/2017 5:29 PM
138	The public access to Trundy Point, Surfside Avenue and Fort Williams is a major reason I bought my home here.	7/12/2017 4:53 PM
139	Selfish private parties are frequent supporters of exclusion of others from wonderful vistas that are part of Cape Elizabeth.	7/12/2017 4:38 PM
140	I do not think access to the shore should be only for the wealthy. We are so fortunate to live where we do and I would love to see more access to the shore for my family.	7/12/2017 4:02 PM
141	I moved here for the public access to the shore and the woods trails.	7/12/2017 2:55 PM
142	This is very important to me, and is under regular threat by wealthy people who own abutting land and would like to restrict the public's access.	7/12/2017 2:37 PM
143	The Atlantic Place and Surfside paper street paths are a daily fixture of our family's lives. We walk them frequently and enjoy the unfettered atmosphere which only comes from a natural shore line. Open to the public, it must never be illegally taken by its abutters and their cronies on the town council who carry out illegal motions to vacate!	7/12/2017 2:24 PM
144	Property rights of land owners on the shore as stated in their deeds must be upheld. Also if there is deeded access to a beach for lots within a neighborhood, that access must remain. None of this should be made public. Please leave things as the are.	7/12/2017 1:36 PM
145	Shore access was the determining factor when we bought our house here 40 years ago. The ability to have access to all forms of recreation on the shore has been an essential quality of life issue. it enables all to participate regardless of need to engage in cost prohibitive memberships. It does not pose limits in terms of access times or seasons.	7/12/2017 1:27 PM
146	Public Access to the ocean is precious, and opportunities are very limited. Too many people think only of themselves when it comes to the shoreline and they strive for exclusivity. I wish Maine required public access to the shoreline like California does. The Town should do all possible to protect, preserve, and maintain all current and potential public access to the shoreline for all in the community to enjoy for outdoor recreation including individuals fishing for stripers off the shoreline, and for our fisherman who fish for a living.	7/12/2017 1:24 PM
147	More important over time as private access points disappear due to development or ownership changes of these private access points	7/12/2017 11:12 AM



## Q4 Based on your answer to question 3, why do you say that?

Answered: 400 Skipped: 97

#	RESPONSES	DATE
1	Walking along the shoreline is major attraction to living here	9/19/2017 4:30 AM
2	A reason I moved here and to Maine.	9/17/2017 1:16 PM
3	Already enough access	9/16/2017 8:34 AM
4	It's part of our identity as a community and access should be available to all .	9/15/2017 8:17 PM
5	This ia what I value about CE--protecting land and access for all to enjoy. These are our town values.	9/15/2017 4:53 PM
6	The ocean is a large part of growing up in Cape	9/15/2017 3:08 PM
7	I live in Cape Elizabeth because of it's proximity to the shoreline. It immeasurably increases the quality of life here.	9/15/2017 6:54 AM
8	Access to the shoreline and coastal waters and views of the same immeasurably increase the quality of life in Cape.	9/15/2017 5:42 AM
9	I am sure others enjoy what I have and access to the coastline needs to be for all.	9/14/2017 4:17 PM
10	My purpose for living in Cape was the ease of access to coastal areas. I love the ocean.	9/14/2017 4:07 PM
11	not everyone can afford shorefront property, but the ocean belongs to us all. maximum access to its beaches and views is part of what makes cape eluz a great place	9/14/2017 10:26 AM
12	I am deeply concerned that we are moving away as a community from what defines us as a coastal community with rural/fish & farm roots. We are so very fortunate to live here, and with this unique and awesome privilege comes a deep responsibility to preserve, protect, and share our shorelines.	9/14/2017 9:44 AM
13	We've already got great access to the shore at multiple locations.	9/14/2017 5:22 AM
14	We don't/can't afford to live on the ocean, so feel it's important to have equal public access to as many Cape citizens as possible. It needs to remain a part of our town heritage.	9/13/2017 9:40 PM
15	Shore access is what makes Cape so special	9/13/2017 4:54 PM
16	Part of the benefit of living in a coastal community is the ability to access the expansive shoreline and it's beauty.	9/13/2017 12:51 PM
17	The current crazy situation in Shore Acres for an extension of a trail on Pilot Point	9/13/2017 6:21 AM
18	This is one of the main reasons we chose to move to Cape Elizabeth - access to the shore.	9/12/2017 3:50 PM
19	primary town asset and reason for living here	9/12/2017 2:31 PM
20	One of Cape's greatest public assets is its shorelne, for recreation, photography, fishing, education, etdc.	9/12/2017 6:38 AM
21	I am a commercial fisherman	9/12/2017 6:28 AM
22	The shore shouldn't be the exclusive joy of the wealthy. It is a community joy...	9/11/2017 11:39 AM
23	Proximity to the ocean is one of the best things about living here.	9/11/2017 7:07 AM
24	It's one of the primary reasons we moved here years ago. The ocean is there for everyone to use, multiple, accessible, public points of egress to the shore is one of the primary ways of not funneling everyone into a single place, thus causing overcrowding and decreasing overall enjoyment.	9/9/2017 10:49 AM
25	See above	9/9/2017 7:16 AM
26	Lobsterman needs water	9/8/2017 1:25 PM
27	Make a living on the water	9/8/2017 1:22 PM
28	Because public access is lacking most other places.	9/8/2017 11:01 AM

29	Cape has good access now, and needs to be maintained	9/8/2017 9:23 AM
30	Love to go to the ocean when I want.	9/7/2017 6:28 PM
31	I like having access to the shore for swimming and paddle boarding.	9/7/2017 11:25 AM
32	see above	9/7/2017 11:04 AM
33	Fort Williams, Kettle Cove, Two Lights, etc	9/7/2017 9:45 AM
34	It is one of the most attractive benefits of living here	9/6/2017 8:28 PM
35	There are lots of access points already	9/6/2017 6:26 PM
36	Having access is an advantage to living in Cape.	9/6/2017 6:06 PM
37	we have portland headlight, crescent beach, kettle cove and two lights state park.	9/6/2017 5:35 PM
38	I am aware that some paper streets abut private property, and where that reduces privacy or land value I think the property should be returned to the abutters.	9/6/2017 3:56 PM
39	I love Kettle Cove and Cresent Beach, Broad Cove is rocky	9/6/2017 3:21 PM
40	Fort Williams	9/6/2017 2:53 PM
41	From time-to-time we bring our grandchildren to the beach.	9/6/2017 2:14 PM
42	Boating, paddle boarding and swimming	9/6/2017 1:44 PM
43	I believe we currently have great access - thru Kettle Cove, Crescent Beach, Two Lights State Park and Fort Williams Park. That is wonderful access (some free) for a town of our size.	9/6/2017 8:28 AM
44	Because as a commercial fisherman, my livelihood depends on access to the shore.	9/6/2017 6:32 AM
45	We note the constant and consistent lack of observation of and adherence to the Cape's ordinances relating open fires, leash laws for dogs and control of incessant dog barking. Cliff House Beach is not a :dog park: ,nor should it be. Fort Willimzs, and other open areas should be more than adequate.	9/4/2017 7:27 PM
46	Individual land owners don't own the beaches or the ocean . Right of ways need to be protected for all to enjoy.	9/4/2017 11:44 AM
47	Residents of any town who have purchased property in that town and pay taxes in that town should have the right to enjoy what they have paid for, which includes their private property and their town. The general public should not be given any special consideration in any one town just because they like what that town has to offer.	9/4/2017 7:57 AM
48	See comments in question 3.	9/3/2017 9:55 PM
49	Ocean access is why I moved to Cape Elizabeth.	9/3/2017 3:11 PM
50	See above	9/2/2017 7:41 AM
51	See answer to #11	8/31/2017 2:26 PM
52	Access is a limited resource and we should emphasize it for all citizens but especially for pedestrians.	8/31/2017 2:18 PM
53	Access should be allowed for everyone.	8/31/2017 11:10 AM
54	We live on the shore, but use the beached occasionally.	8/31/2017 7:22 AM
55	Shore access is one of the reasons I live in Cape,	8/30/2017 9:12 PM
56	Access to public land should never be closed.	8/30/2017 5:50 PM
57	Myself, family nad friends have been harrassed by home owners regarding public access to shore.	8/30/2017 8:31 AM
58	That is why I live here ! #1 reason for loving Cape. Don't take that away	8/30/2017 5:33 AM
59	The beauty draws you.	8/30/2017 1:30 AM
60	I kayak, and treasure the ocean access available in Cape Elizabeth!	8/29/2017 4:24 PM
61	The shore is great and an important part of the community.	8/29/2017 2:41 PM
62	I'm not a commercial user, but recreational access to the shore contributes significantly to my quality of life.	8/29/2017 12:06 PM



63	Because the ocean and shore belong to all!	8/29/2017 11:21 AM
64	It's one of the things that makes Maine special -- Shore and beaches	8/29/2017 10:05 AM
65	There is plenty of public access to the shore now and I'd like to keep it that way. No changes please.	8/29/2017 8:49 AM
66	Because we already have so much.	8/29/2017 8:38 AM
67	Public land is just that	8/29/2017 8:28 AM
68	There have been issues in Broad Cove for years. Let's not make it town wide.	8/29/2017 7:30 AM
69	I moved here because of the ocean. Access to the shore is extremely important to me.	8/29/2017 5:57 AM
70	Access along with town trails and the schools are the reasons unmoved here.	8/29/2017 4:02 AM
71	I'm a citizen here and it's important to me as a taxpayer to have certain areas preserved for public use. The shoreline is exceptional and privatizing usage benefits only a few.	8/28/2017 11:16 PM
72	Part of the reason why we chose to live here. Beautiful. Peaceful.	8/28/2017 9:22 PM
73	It's one of the main reasons my family moved to Maine from NYC; nature, ocean, hiking and being able to access these things.	8/28/2017 9:00 PM
74	We visit the ocean every day	8/28/2017 6:04 PM
75	see above	8/28/2017 4:59 PM
76	The shore should never be "private". It is our history and it should be our future.	8/28/2017 4:14 PM
77	As a landscape painter, the beautiful locations in the Cape are very important to me.	8/28/2017 4:06 PM
78	i live at crescent beach practically in summer and once summer ends go to Kettle Cove its magical and soothing the ocean	8/28/2017 3:07 PM
79	quality of life, access to recreation	8/28/2017 12:45 PM
80	Because it's one reason I chose to live here.	8/28/2017 10:08 AM
81	See my comments above. We must not let a few property owners decide that access long provided to Cape folks in the past is now not accessible.	8/28/2017 9:43 AM
82	Recreation, hobby, free time	8/28/2017 9:30 AM
83	It's a big part of the culture and attraction of this town; there are very few communities where the public has unfettered access to million dollar views.	8/28/2017 9:22 AM
84	It's why we moved here.	8/28/2017 8:40 AM
85	There are many many access points to the ocean for the public.	8/28/2017 7:42 AM
86	I enjoy the outdoors and frequently the public access areas provide great vistas and interesting areas.	8/28/2017 7:14 AM
87	Shoreline access is important because it not only gives access to recreational opportunities but will also increase property values as it makes Cape Elizabeth a more desirable place to live.	8/28/2017 7:13 AM
88	Access to undeveloped shoreline is one of the best reasons to live in or visit Cape.	8/24/2017 7:38 PM
89	Fort Williams and other public beaches	8/23/2017 10:41 AM
90	I enjoy the beaches here.	8/21/2017 8:27 PM
91	The beach is part of the reason we purchased the property.	8/21/2017 4:03 PM
92	Access is important for all not just the wealthy	8/21/2017 3:30 PM
93	Cape Elizabeth's natural beauty was a chief reason my family moved here.	8/21/2017 3:06 PM
94	Increasingly all along the Eastern Coast rich folks are buying prime waterfront acreage effectively taking off the "access" list for the general public. All you need to do is look south to the Massachusetts experience to see what will happen here if we are not vigilante.	8/20/2017 7:21 PM
95	Public access is important to allow everyone in the town area to enjoy the beauty of the coast that surrounds the town.	8/20/2017 8:46 AM
96	The water is a major draw for us	8/19/2017 8:25 PM

97	It was a major reason we moved to Cape	8/19/2017 3:31 PM
98	Fort Williams, Kettle Cove, Crescent Beach, Two Lights	8/19/2017 12:01 PM
99	Important reason for living in the Cape	8/19/2017 5:27 AM
100	Cape Elizabeth already benefits from a lot of public access points to the shore	8/18/2017 2:36 PM
101	Shoreline yo!	8/18/2017 10:59 AM
102	It should be a right to have access to the Shore and it's part of the natural beauty of CE.	8/18/2017 9:05 AM
103	Because where it is publicly owned land, I want to take full advantage of my rights as a citizen.	8/18/2017 7:54 AM
104	I live here to be near the ocean	8/18/2017 7:54 AM
105	Public access to the shoreline is part of the fundamental fabric of Cape Elizabeth and Maine	8/18/2017 7:50 AM
106	We are primarily a bedroom community. We choose to live in Cape for access to the green belts, for walking and swimming at beaches etc.	8/18/2017 7:46 AM
107	Commercial fisherman and family enjoys Crescent Beach all year long	8/17/2017 10:53 AM
108	h;ave long had a mooring(rec}	8/16/2017 3:53 PM
109	I use the commercial boat launch at Kettle Cove about every other day. I have a commercial lobster license, so I need to have reliable access to the water.	8/16/2017 7:30 AM
110	I live here to have access to the ocean!	8/15/2017 7:23 AM
111	We moved here after visiting Two Lights park.	8/14/2017 7:04 PM
112	We use it in every day activities and it is unique to Cape Elizabeth	8/14/2017 6:02 PM
113	Things are great now . Let's not screw it up.	8/14/2017 6:01 PM
114	It's the reason we chose to buy in Cape Elizabeth.	8/14/2017 5:58 PM
115	Shore access is a limited commodity which should be under public domain to be shared by all.	8/14/2017 3:37 PM
116	One of the reasons I live in Cape Elizabeth is to have easy shore access. I like to walk the beaches and the rocks. We canoe and kayak as well.	8/14/2017 3:20 PM
117	The shore should be accessible to the public. Please respect the vision of the original development plan to maintain rights of the public to enjoy the shoreline!	8/14/2017 3:10 PM
118	Shoreline access is extremely important to Cape Elizabeth and one of the reasons i moved my family to town.	8/14/2017 12:57 PM
119	I have access to the beach written into my house's deed. It would clealy lower my proprty values should this be allowed to be individually owned and controlled	8/14/2017 7:40 AM
120	There is more than adequate public access with Fort. Williams, Kettle Cove, Crescent Beach, Two Lights park, etc.	8/14/2017 7:39 AM
121	This is the reason we chose to live in Cape Elizabeth !	8/14/2017 6:58 AM
122	We have a house close to the shore	8/14/2017 6:54 AM
123	The ocean is one of the main reasons we moved here!	8/14/2017 6:34 AM
124	I love the ocean	8/14/2017 6:20 AM
125	It's one of reasons we choose CE	8/14/2017 5:12 AM
126	It is why we chose to live in cape.	8/13/2017 10:49 PM
127	No one is permitted to own the ocean. While I understand and respect an individual's right to purchase real estate that affords an unobstructed ocean view, such a purchase should not also buy that individual unfettered access to the coastline which traditionally or historically has been publicly accessible.	8/13/2017 10:45 PM
128	Part of the natural beauty of the town and a large reason to live here.	8/13/2017 10:36 PM
129	If someone owns ocean front property then the access is their's but if they have not paid water front taxes and did not buy a property with known deeded waterfront access they should not have full exclusive rights to it.	8/13/2017 9:25 PM
130	look at California access. Woods sued broad cove over access. It's the right thing to do.	8/13/2017 8:22 PM

131	It is the primary reason we moved here	8/13/2017 8:16 PM
132	I would avoid places that call visiting the natural shore trespassing.	8/13/2017 2:49 PM
133	I moved to Cape Elizabeth 23 years ago because of its beautiful shoreline.	8/13/2017 10:52 AM
134	The community experience and sharing of the land and shore is what makes this appealing to live in cape. Without the shore access, we would probably move.	8/13/2017 10:07 AM
135	One of the main reasons we chose to make Cape Elizabeth our home was its proximity to the bay and ocean, and the access to same that is afforded to the public. We willingly pay higher tax rates in exchange for this important quality-of-life feature.	8/13/2017 9:43 AM
136	I run on the beach for exercise	8/13/2017 6:37 AM
137	It's one of the main reason we chose to live in Cape Elizabeth.	8/12/2017 7:32 PM
138	Public access to beaches/coast/shore is strong value and important ethic of our family.	8/12/2017 6:26 AM
139	I think that the shore line is a national asset that should be shared.	8/11/2017 3:17 PM
140	The beauty of our shoreline should be shared with all.	8/11/2017 7:41 AM
141	We are a seaside community, limiting access to the shore diminishes the value of all houses in the town.	8/11/2017 6:37 AM
142	without access to the ocean I might as well live in hiram	8/10/2017 8:34 AM
143	Access to the shoreline is increasing lost to Maine citizens	8/10/2017 7:24 AM
144	Everyone should have public access to the water.	8/10/2017 6:04 AM
145	It ranks very highly for why my family moved to Cape. We adore the ability to access the shore so quickly. It is truly such a special thing. It separates Maine from so many other coastal states. I would be deeply saddened if we lost our beloved shore access.	8/9/2017 9:28 PM
146	Our shores and beaches are an invaluable public asset and what makes living in Greater Portland so special - and they are beautiful.	8/9/2017 10:30 AM
147	It's one of the reasons we chose to live here.	8/9/2017 8:53 AM
148	We love walking to and enjoying the ocean!	8/9/2017 6:44 AM
149	We find the shore beautiful.	8/9/2017 6:31 AM
150	Shoreline access is an unquantifiable asset, one that is for all generations not just ours. One that the Town will never get back if given away. Giving away our shoreline access will make us comparable to any non-water accessed town, that is our most prized town asset. We have little else to offer our citizens. Our schools have no superintendent or principals, we have no town stores or activities - the shore is what we have. DO NOT TAKE IT AWAY	8/9/2017 5:45 AM
151	I use the beaches, in particular, when I feel the need to be near the water	8/8/2017 8:18 PM
152	Access to shores ensures all have an opportunity to be stewards of the natural beauty if our town.	8/8/2017 7:36 PM
153	Beautiful scene walk	8/8/2017 5:28 PM
154	Casino beach, kettle cove, ft Williams and crescent beach are plenty of access.	8/8/2017 3:33 PM
155	The ocean belongs to everyone	8/8/2017 1:13 PM
156	I value open space and shore access, and I want others to have it, too. Just because we have Trundy Point we shouldn't not want more.	8/8/2017 1:04 PM
157	It's the reason we moved to our neighborhood and chose this town.	8/8/2017 12:28 PM
158	One of the primary reasons we chose to reside and continue to reside in Cape Elizabeth is the public access to the shore and other areas like Great Pond and Robinson woods. Our family highly values and greatly appreciates the public access to the shore and lands provided in Cape Elizabeth.	8/8/2017 9:20 AM
159	We are a costal town with very limited public water access!	8/8/2017 8:01 AM
160	We enjoy outdoor walks along the coast and boating.	8/8/2017 7:06 AM
161	We live in a beautiful seaside community and we have numerous public access points for our residents use.	8/7/2017 8:59 AM

162	I think all beaches should be free access	8/6/2017 2:49 PM
163	We visit the shore often. It's so easy and accessible.	8/5/2017 6:47 PM
164	see my comment to question 3	8/5/2017 5:45 PM
165	Being near the ocean is part of the reason I moved here.	8/5/2017 4:05 PM
166	It's one of the town's most important assets (if not THE most). It should remain in the hands of all the town's citizens, not just a privileged few.	8/5/2017 12:49 PM
167	see comment	8/5/2017 8:57 AM
168	As a family we have always valued open spaces. Since moving to Cape Elizabeth we have made it a point to visit all of the public access areas not to mention purchasing the 4 park 'beach pass' each year.	8/5/2017 7:27 AM
169	Important reason for living here	8/4/2017 9:12 PM
170	People are entitled to access to public land, maintained by tax payer dollars.	8/4/2017 4:21 PM
171	Given that we live in an area so close to the ocean, insuring the public's access to the shore is very important to me. I sense that some, newer residents of CE would like to restrict access and I thing residents are against this idea.	8/4/2017 3:52 PM
172	Not many of us can afford to live on the coast, so it is vital that we maintain as much access as possible for everyone	8/4/2017 2:03 PM
173	Big part of the reason I live here.	8/4/2017 10:52 AM
174	See above.	8/4/2017 7:54 AM
175	It is why I live here...public access to the ocean and other town land is a asset!	8/3/2017 7:19 PM
176	I purchased a house within walking distance from the shore, although the shore closest to me is not a public access.	8/3/2017 4:41 PM
177	Access to the shore one of the reasons I chose to live here.	8/3/2017 8:48 AM
178	The main reason I moved here and love living here are the trails and access to the shoreline. Without that, what would make this area the most amazing place to live? What's the point of living near the ocean if you can not access it?	8/3/2017 7:27 AM
179	Cape Elizabeth's shoreline is its defining physical characteristic, and maintaining free access is important for its citizens.	8/2/2017 2:56 PM
180	Why live close to such a beautiful coastline without being able to get to it?	8/2/2017 12:46 PM
181	I have lived in for 25 years (grew up in Portland). The public access to the shoreline that we have enjoyed during that time is a core reason for deciding to live here. It makes this town special.	8/2/2017 8:14 AM
182	I love the ocean	8/2/2017 7:42 AM
183	Public access to the shores in CE belongs to all the tax paying citizens of this town. Particularly the rights that have been in place with access through paper streets. We have spent several months resolving this paper street situation in town. Now we have what sounds like four of our town of councilors are having secret meetings to some of our access right away. If that is the case they should either resign or be recalled.	8/2/2017 7:04 AM
184	When I moved to Maine from the midwest, water access was on top of my priority list. In CE, I have access to the ocean, river and bay in addition to other public access points (trails, Fort Williams).	8/1/2017 8:40 PM
185	Shore access was one of the reasons I came to Cape Elizabeth 23 years ago. It was important to me then, and continues to be important to me now. I take frequent long walks at all seasons, taking routes that allow me to see the ocean. I live in a neighborhood close to the shore, but the closest shore access is blocked to me because only private roads lead there, and No Trespassing signs forbid even close neighbors from walking there. This is frustrating and embittering, and makes me even more passionate about protecting remaining shore access for the people of Cape Elizabeth.	8/1/2017 8:11 PM
186	Having lived in CE for 50 yrs, I have seen dwindling access to shore access.	8/1/2017 7:53 PM
187	Access to the shore is why I live in Cape Elizabeth	8/1/2017 7:14 PM
188	I believe that we all pay taxes and have the right to access our shoreline.	8/1/2017 6:41 PM

189	The shore access points have become more restrictive - for instance, anybody could go to Casino Beach, but is not restricted to area residents/guest only	8/1/2017 5:02 PM
190	We ALL have the right to public access of the shore!	8/1/2017 2:43 PM
191	see above comments	8/1/2017 1:44 PM
192	See above	8/1/2017 10:03 AM
193	It's one of the main reasons we moved to Cape Elizabeth. Public access to the shoreline, beaches in Cape Elizabeth (and greater coastal Maine for that matter) was essential to our decision.	8/1/2017 8:15 AM
194	The beauty of our ocean environment is one of our greatest assets for the quality of life that we residents enjoy but also can be appreciated by visitors. It helps all participate in active engagement with the outdoors which vastly contributes to physical and mental health and overall community goodwill	8/1/2017 6:52 AM
195	enjoy the ocean, walking, swimming etc.	8/1/2017 5:15 AM
196	Public access to the shore personifies the rural, sea-based character that make CE special and desirable.	7/31/2017 9:10 PM
197	I think the ocean is not just for the rich to enjoy.	7/31/2017 7:25 PM
198	It is part of why I live in this town	7/31/2017 6:36 PM
199	Answered above	7/31/2017 5:34 PM
200	The ocean is one of CE's best features. It is something that should be accessible to all of CE's residents and visitors.	7/31/2017 3:22 PM
201	Being able to access the shore/water is the best thing about the town.	7/31/2017 8:16 AM
202	Public access to cape Elizabeth shores is the reason we live in this town	7/31/2017 6:40 AM
203	That is why I moved to My neighborhood - beach access	7/30/2017 9:22 PM
204	See comments above.	7/30/2017 7:40 PM
205	The shore should be available to the community	7/30/2017 3:51 PM
206	feel it is important as a Cape Elizabeth resident to have thsi access	7/30/2017 12:10 PM
207	I think public access to the shore and beauty of Cape Elizabeth defines us a community. Next thing you know abutters to all the wonderful town trails will take that access away.	7/30/2017 10:12 AM
208	Having three young children we frequent our nearby beaches often	7/30/2017 8:05 AM
209	It is a beautiful place that I feel enhances my life.	7/29/2017 7:02 PM
210	it's part of what makes CE a great place to live	7/29/2017 6:07 PM
211	I believe in parks, public places and access to nature for all.	7/29/2017 5:58 PM
212	Proximity to water is one of the major reasons we chose to live here.	7/29/2017 4:54 PM
213	Because without easy access we may as well live someplace else.	7/29/2017 3:53 PM
214	If you give the affluent/wealthy homeowners exclusive water access, you are only going to engender bitter resentment, distrust and anger fro.m the rest of Cape residents	7/29/2017 2:18 PM
215	We utilize the shore line for recreation and relaxation.	7/29/2017 2:05 PM
216	See above	7/29/2017 12:24 PM
217	access to the ocean is why we moved here. It is so important for kids to grow up appreciating the world around us. why would anyone want to block their neighbor's access? we should work together as a community to preserve and protect the coast, including banning fertilizers and pesticides that run off into the sea.	7/29/2017 12:13 PM
218	The primary reason we moved to Cape 38 yr ago, saddened by the growth and changes that make access so limited these days	7/29/2017 11:07 AM
219	Because residence pay taxes and they should be heard before non residences, set up rules do not take away from the people that pay taxes.	7/29/2017 10:15 AM
220	the best way for me to enjoy the beaches, the views, walking, hiking	7/29/2017 8:56 AM
221	It makes the community great	7/29/2017 7:57 AM

222	Our family fishes, hikes, runs, bird watches, kayaks, surfs, and swims along Cape's shores. We don't live on the shoreline so public access is critical.	7/29/2017 7:45 AM
223	With children, we visit the shore several times a week at various points for relaxation and entertainment.	7/29/2017 7:07 AM
224	Our shorelines are why many people live in Maine. Having access to them is critical to our well being - for our mental health and physical health.	7/29/2017 5:36 AM
225	We pay taxes and a large percentage of the Cape shoreline should be a shared resource	7/28/2017 11:00 PM
226	That's why we moved here. A limit on access would most likely sway our decision to move to a town with lower taxes.	7/28/2017 8:35 PM
227	Other than the school system it is the most valuable asset the town has.	7/28/2017 6:49 PM
228	That's why we moved here	7/28/2017 4:56 PM
229	The ocean is for everyone, not just those who can afford to live oceanfront. The fact that I personally may not use a specific access point makes it no less important to maintain ALL access points for the public.	7/28/2017 2:50 PM
230	I love to walk the beach all year round.	7/28/2017 2:26 PM
231	The shore is why we live there n cape	7/28/2017 2:12 PM
232	Without public access, our quality of life would diminish.	7/28/2017 2:10 PM
233	Public access to the shore ensures a more equal and vibrant community engagement with the ecosystem surrounding it.	7/28/2017 1:59 PM
234	One only has to go as far as Ft Williams to see how important free access to shoreline is to the humans. Studies have shown that gazing at water and distant horizons can have a big impact on the brain: We are beginning to learn that our brains are hardwired to react positively to water and that being near it can calm and connect us, increase innovation and insight, and even heal what's broken," Nichols writes in Blue Mind: The Surprising Science That Shows How Being Near, In, On, or Under Water Can Make You Happier, Healthier, More Connected, and Better at What You Do. This is why I moved to Cape and pay thousands more in taxes than I would elsewhere.	7/28/2017 12:28 PM
235	It is a major reason why I moved back to CE after living in other states. I want to raise my family loving and appreciating the ocean, like I was.	7/28/2017 11:49 AM
236	Fishing access is needed	7/28/2017 11:08 AM
237	The coastline is s natural resource and should be managed and preserved so that everyone can enjoy and use it responsibly.	7/28/2017 10:53 AM
238	Public shore access is already very limited.Would like to see more.	7/28/2017 10:06 AM
239	Enjoying the shoreline is a way of discovering the flora and fauna native to our town.	7/28/2017 10:06 AM
240	It's one reason we chose to move here.	7/28/2017 9:40 AM
241	I walk my dog for 2-3h every day, and always include a visit to the shore. I always show my out-of-town guests how beautiful the CE shoreline is.	7/28/2017 9:19 AM
242	Direct access to the shore, specifically at Kettle Cove, is a chief reason we moved here, and a resource we utilize weekly.	7/28/2017 9:17 AM
243	One of the reasons we live here is to have access to the shore. We spend the majority of our outside time on the shore.	7/28/2017 9:12 AM
244	One of the things that makes our town so special is the beautiful shoreline, however there are limited places that the public can access it. This is not something that should just be enjoyed by the fortunate few, but rather a treasure taht should be shared by all.	7/28/2017 8:26 AM
245	The cost of living in Cape is high. It is why we don't live in Buxton	7/28/2017 8:22 AM
246	Because living near the shore is my favorite part about living in Cape Elizabeth	7/28/2017 8:15 AM
247	The ocean is why we live in Cape.	7/28/2017 8:12 AM
248	We have a boat, live near cliff house beach. Maybe I'm not understanding the q but this seems like a no brained. Why wouldn't we want access???	7/28/2017 8:07 AM
249	The shore is part of what makes the Town great, and it should be available to everyone.	7/28/2017 7:58 AM



250	Because our shore line is lovely. It is calming to go to the shore, relax and absorb the beauty.	7/28/2017 6:47 AM
251	I use the beaches and parks daily	7/28/2017 5:35 AM
252	It's why I live in cape Elizabeth	7/27/2017 8:44 PM
253	I'm a surfer, paddleboarder and caretaker of Richmond Island. I need to access our coastal waters 3-5 days a week.	7/27/2017 8:24 PM
254	We have a very active family of 6 and love the outdoors.	7/27/2017 8:19 PM
255	I think all of CE should be able to enjoy our beautiful coastline. Not a few individuals.	7/27/2017 7:52 PM
256	Cape Elizabeth is synonymous with shoreline.	7/27/2017 6:36 PM
257	Public access to shoreline is very limited	7/27/2017 6:25 PM
258	the joy of the shore is for everyone, not just those who can afford to built adjacent to it	7/27/2017 5:13 PM
259	It is a big reason for why we choose to buy a house and live in CE	7/27/2017 4:25 PM
260	It is one of the reasons why we love CE & why we stay in our home here.	7/27/2017 3:35 PM
261	It is what makes Cape Elizabeth a special place. Growing up in York, I have seen how we slowly lost much of our access to the shore. A small percentage of wealthy individuals changed over a hundred years of town history. Is is incredibly sad. It is also becoming the norm for so many coastal communities. Many of the property owners don't even live in the town year round.	7/27/2017 3:35 PM
262	The town of Cape Elizabeth has a duty to its citizens to preserve access to the shore. Once it's given away it is gone forever.	7/27/2017 2:34 PM
263	It is very peaceful,scenic, and enjoyable	7/27/2017 1:08 PM
264	see above	7/27/2017 12:41 PM
265	It is one of the significant benefits of living here.	7/27/2017 12:19 PM
266	It's why we decided to live here.	7/27/2017 12:14 PM
267	Because I live here to have access/availability to the ocean.	7/27/2017 11:47 AM
268	It is important to me that I live in a community where I have access to the shore to enjoy the beauty of the ocean.	7/27/2017 11:14 AM
269	Living by the shore and being able to enjoy it in the town i pay taxez in is extremely important to me.	7/27/2017 10:38 AM
270	I very much enjoy the beach in all seasons	7/27/2017 9:48 AM
271	Our public access to the Cape Elizabeth shore is extremely important because we: hike, paddle, sail, fish, beach comb, picnic, explore, climb rocks, bird watch, sea glass hunt, build sand castles, run, bike, sun bathe, listen to the waves, dog walk, collect trash, surf, contemplate and share the beauty of the CE coast with friends, neighbors and like minded visitors to our town.	7/27/2017 9:27 AM
272	Allows families to get out om the water for.exercise and recreational fishing.	7/27/2017 9:00 AM
273	Its why we live here	7/27/2017 7:48 AM
274	It is a valuable natural resource that is a huge part of the town's collective experience and one of our major assets that should be able to be appreciated and used by all, not owned by few.	7/27/2017 5:12 AM
275	There's something physiologically relaxing about looking at, smelling and hearing the water. It's why we moved here.	7/26/2017 8:13 PM
276	The coast line is an amazing, beautiful resource. When public access is available it should be preserved	7/26/2017 7:49 PM
277	I have seen cars parked to conceal or make difficult to access, a right of way. Also, I am aware of neighborhood controversies which make clear how unwelcome non-residents on beaches would be	7/26/2017 3:53 PM
278	I walk along the shore regularly. Private landowners should not be the only ones able to access our beautiful coastline.	7/26/2017 2:18 PM
279	We love the coast and appreciate all that it offers our family of five. We buy a park pass each year to access the local shore, like Crescent Beach.	7/26/2017 1:52 PM
280	If I can't access the shore, I might as well live in Iowa!	7/26/2017 12:20 PM

281	for the public to fully enjoy the variety of shoreline Cape E has to offer	7/26/2017 11:55 AM
282	I don't visit the shore very often.	7/26/2017 11:48 AM
283	I love being near the great ocean	7/26/2017 9:57 AM
284	there is plenty of public land already accessible in Town.	7/26/2017 6:51 AM
285	We are a costal community with no public boat launch other than the beach!!! If we don't do something now before we know it Rachel Carson will have control over our side of the marsh and water access.	7/25/2017 8:54 PM
286	Our town offers ample opportunity for all to enjoy the shore.	7/25/2017 8:52 PM
287	We have so many beaches around us. Views and access to the water.	7/25/2017 8:43 PM
288	Being outdoors and enjoying all aspects of Cape life includes beach access.	7/25/2017 8:31 PM
289	We love living near the ocean, and we enjoy being able to see it, smell it, walk near it, swim in it on a regular basis.	7/25/2017 7:36 PM
290	We selected the town and our neighborhood in large measure because it afforded such wonderful public access to the Shore via Cliff House Beach and a Fort Williams Park.	7/25/2017 7:13 PM
291	I think it is important to have public access to town beaches and parks but not land in front of someone's house.	7/25/2017 6:37 PM
292	Ocean access and enjoyment is what first brought many of to this town. The town has done a good job maintaining and enhancing public access. Anytime public access is changed going forward it should only come with maximum public disclosure and participation.	7/25/2017 6:07 PM
293	Part of the reason for residing in CE is access to the shore	7/25/2017 5:57 PM
294	Its one of the reasons we bought property here.	7/25/2017 4:47 PM
295	Public access to the shore is part of our way of life and should be maintained. We don't want to become like communities in California, for example, where private home owners buy land and then work to keep people from having access. We are already losing access to inter neighborhood trail access by new owners refusing access to trails that have been in place for decades.	7/25/2017 4:02 PM
296	Major reason to live here	7/25/2017 4:01 PM
297	One of the great attributes of the community is the proximity to the ocean and beautiful shoreline	7/25/2017 3:44 PM
298	Enjoy the scenery and walks.	7/25/2017 2:49 PM
299	One of the main draws of Cape is the shore. More and more of the coast is being bought up and becoming restricted.Mother Nature should be for all to enjoy, not just a few. Why give access rights away?	7/25/2017 2:41 PM
300	I live in Shore Acres, and this proposed walk way is a very bad idea.	7/25/2017 1:46 PM
301	I am concerned, based on on non-transparent and rushed Council and Planning Board actions that special interests, like wealthy landowners and developers, are calling the shots in return for favors. Unfortunately this is the only way to explain some decisions and action which are clearly not in the interests of abutters, taxpayers and the great majority of residents in Town. I hope that what is SPO at the state and federal level is not coming or already here in the Cape.: wealthy landowners decisions	7/25/2017 12:55 PM
302	General principle re: shoreline access	7/25/2017 10:22 AM
303	Because shore access belongs to all, not just a few.	7/25/2017 7:34 AM
304	The residents pay a high price to live here and are affected by the summer traffic and road interruptions with various races and should have the benefit of their town's natural resources.	7/24/2017 6:23 PM
305	It's the best thing Cape has to offer	7/24/2017 1:01 PM
306	ON 7/10/17 THE TOWN COUNCIL VOTED 4 TO 3 TO BEGIN THE PROCESS OF VACATING TWO PAPER STREETS IN SHORE ACRES. IF ALLOWED, SUCH ACTION WOULD PERMANENTLY REMOVE PUBLIC ACCESS TO A BEAUTIFUL EXISTING SHORELINE ROAD. THIS WOULD BENEFIT A WEALTHY DOZEN FAMILIES AND WOULD EXCLUDE ALL THE REST OF CAPE RESIDENTS FROM EVEN VIEWING THE OCEAN ALONG THIS PART OF TOWN.	7/24/2017 8:29 AM



307	There should be free access to Cape residents who pay taxes to be able to use the shore for recreation, boating and commercial fishing/lobstering.	7/23/2017 7:05 PM
308	See my response above. While the focus tends to be on near-term gain/loss, we should also consider what the loss of this access would mean to this community 10 - 20 years from now.	7/22/2017 8:57 AM
309	The reason we chose to move to this town was all of the public access trails and being able to see and walk on the shore in multiple locations	7/20/2017 5:16 AM
310	The only reason we moved here, are willing to pay more, is because if public access to the shoreline. It is the single most important reason why we moved here.	7/20/2017 5:05 AM
311	The shore and water feeds my soul!	7/19/2017 9:34 AM
312	Without access to the shore, how is Cape Elizabeth different from Standish? Or North Berwick?	7/19/2017 8:39 AM
313	one of the reasons to live in Cape	7/18/2017 5:30 PM
314	I live here because I love the ocean. I do worry that at some point, access to the shore will be limited to those who can buy multimillion dollar properties.	7/18/2017 11:42 AM
315	We live here because of the opportunity to have access to nature, and expect that legacy to be continued.	7/17/2017 10:25 AM
316	It is best for the entire community	7/17/2017 8:55 AM
317	I believe that existing access must be preserved because it will be permanently lost if ceded to private holding. The coast is Maine's greatest treasure and I also believe that it should be able to be enjoyed by all, especially those who cannot afford to own a piece of it.	7/17/2017 8:20 AM
318	See above comment	7/17/2017 8:15 AM
319	So many places have cut off access to nature's beauty through the wealthiest buying up land. Cape Elizabeth has set a fine example by using our wealth to share.	7/17/2017 7:22 AM
320	Because preserving such a valuable town asset is very important. We did it for Fort Williams and look how that turned out. Think of the future and do it again for Surfside Avenue/Atlantic Place.	7/16/2017 11:48 PM
321	As a vacation visitor, beach access is VERY important!	7/16/2017 3:12 PM
322	The sea is a God given resource and access to it should never be only for a privileged few.	7/15/2017 9:16 PM
323	I love the sea	7/15/2017 2:36 PM
324	The beach or path should be accessible to everybody, esp those homeowners in Cape Elizabeth.	7/15/2017 2:21 PM
325	Answer above	7/15/2017 12:47 PM
326	Cape Elizabeth enjoys amazing public access to the shore (Crescent Beach, Fort Williams, Kettle Cove, etc.), so we don't need more. Instead, the town needs to focus more on increasing the tax base, growing commerce and funding our schools.	7/15/2017 12:05 PM
327	All residents should be able to have access.	7/15/2017 7:26 AM
328	Because we enjoy getting on the ocean too and don't want to travel to south Portland or Scarborough just to launch our boat.	7/14/2017 10:02 PM
329	Its why we live here.	7/14/2017 1:30 PM
330	access to the shore should be readily available for everyone	7/14/2017 10:07 AM
331	Going to the beach	7/14/2017 9:27 AM
332	Shoreline access and vista protection is under pressure everywhere in Maine	7/14/2017 7:43 AM
333	It is part of the reason we moved to Cape Elizabeth	7/14/2017 7:19 AM
334	One reason why we decided to live in Cape	7/14/2017 6:08 AM
335	We live in Shore Acres and I do not want our right of way to be vacated.	7/13/2017 9:48 PM
336	both from a working access / boats and for our family recreation: walk/runs, swimming, paddling and hopefully someday a boat of our own so that I can share with my son the joys of growing up in Cape and Casco Bay.	7/13/2017 9:41 PM
337	My family uses access all 4 seasons, and it is why we have chosen to live here	7/13/2017 9:01 PM

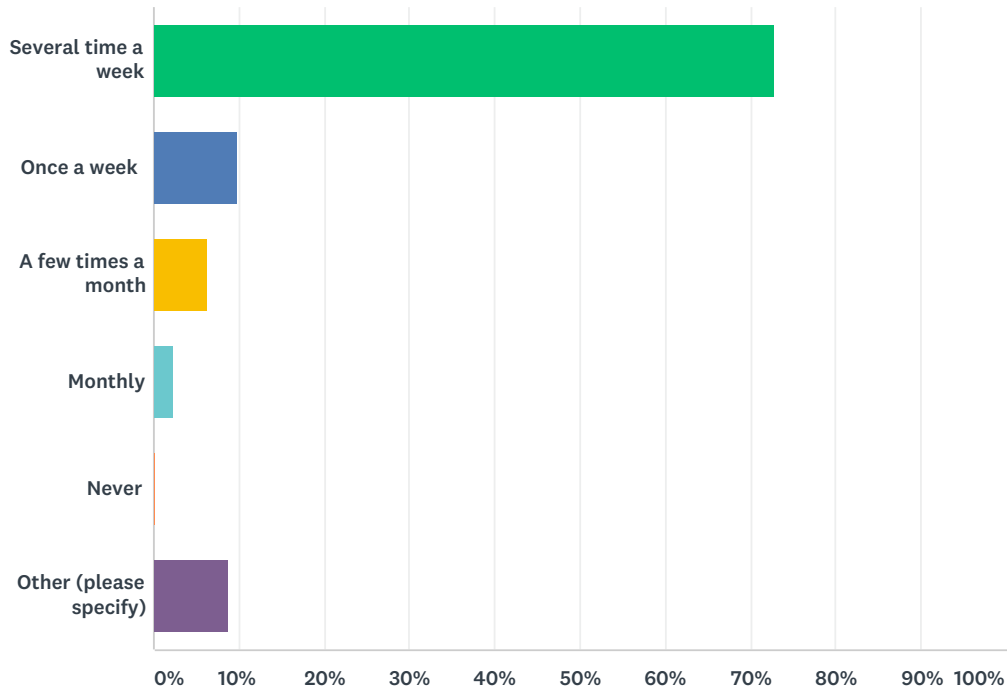
338	I frequently walk the many trails and paper streets - one of the most important reasons that I love this community	7/13/2017 7:01 PM
339	One of the main reasons we live here is because of its natural beauty and sense of welcoming. We believe that nature's gifts and beauty should be accessible and shared by all, not just by those who can pay millions of dollars to own a piece of it.	7/13/2017 4:20 PM
340	The town has the ability and the moral right to provide as much access to as much coastline as it can.	7/13/2017 1:53 PM
341	For all the coastline that surrounds CE, there is very few public access points. We should hold on to what we have; not give it away.	7/13/2017 1:00 PM
342	It is very nice but at some point there is a cost	7/13/2017 12:06 PM
343	Many towns in southern Maine have lost public access due to negligence in maintaining previously legal public rights of way for access. Cape should not fall victim like Kennebunkport, York, Wells and Kittery.	7/13/2017 11:21 AM
344	I love to walk from my home to the Shore Road Beachh	7/13/2017 11:06 AM
345	Read comments	7/13/2017 9:54 AM
346	It's one of the main reasons that my family and I live here.	7/13/2017 8:50 AM
347	Being able to walk the beach, kayak or just enjoy the view is one of the major reasons I moved to Cape.	7/13/2017 8:42 AM
348	Like the sky, the ocean should be enjoyed by all.	7/13/2017 8:42 AM
349	It is a key part of the attraction of living/being here.	7/13/2017 8:38 AM
350	Plenty of Shore access as it is.	7/13/2017 8:31 AM
351	We already have a lot of access with Fort Williams, Kettle Cove, Crescent Beach, two lights, etc... I also have access to a private neighborhood beach.	7/13/2017 8:24 AM
352	I enjoy the coast and open access is part of what makes our town so livable.	7/13/2017 8:15 AM
353	The shoreline of Cape Elizabeth is the reason that many of us live and work here. It belongs to all of us.	7/13/2017 7:55 AM
354	Shore access was our primary reason for moving to Cape Elizabeth, along with the town's obvious commitment to all of its citizens in the form of public walking trails and paths. This is a very special town in those respects. In other places where we've lived, private interests have taken over the shoreline and made it accessible only to a chosen few. Visiting the coastline fills me with a deep sense of peace and contentment. It's one of those things that money can't buy. I want to be involved in a community where people share the opportunity for this experience.	7/13/2017 7:08 AM
355	Most people enjoy a coastal view	7/13/2017 6:49 AM
356	It's one of the reasons we moved here	7/13/2017 5:54 AM
357	I don't really need to use the beaches, so for us it's not terribly important. But I understand how important it is for most residents.	7/13/2017 5:42 AM
358	People shouldn't have to be wealthy in order to enjoy our beautiful coastline. More and more of our neighboring houses are owned by wealthy people who only come to Cape for a month or two. We worry about year around residents being able to get to the ocean as these house get bought by people who don't consider Cape their home.	7/13/2017 5:30 AM
359	Young kids need to get outside and explore	7/13/2017 12:47 AM
360	One of the very reasons I live here!	7/12/2017 10:40 PM
361	We should work to preserve the access we have and make those spaces safe and accessible to all. We do not need to land grab every bit of potential shore access. The town needs to show leadership and resolve these issues with finality one way or the other. The uncertainty and misinformation about access and private property rights is taking its toll on our neighborhoods.	7/12/2017 10:25 PM
362	Fishing/waterfowling	7/12/2017 9:47 PM
363	We are surrounded by water and only a few residents own waterfront property. Being out on or near the ocean is what attracted us to Cape when we moved here. Without good public access the town does not have the same appeal.	7/12/2017 9:36 PM

364	I don't live in a home with deeded shore access, however in this beautiful community access to the water for recreational purposes is one of the main reasons I choose to live here.	7/12/2017 9:35 PM
365	It's a major part of why we bought our home here.	7/12/2017 9:32 PM
366	This is Maine, not Massachusetts or NY or California where people seem to be more territorial. REAL Mainers show respect for one another.	7/12/2017 8:33 PM
367	Cape has a significant amount of shoreline access for its residents and the tourists. It is one of the reason our family lives here.	7/12/2017 8:27 PM
368	It's one of the main reasons we chose to live here.	7/12/2017 8:27 PM
369	Residents of Cape Elizabeth deserve access to our beautiful shoreline.	7/12/2017 8:22 PM
370	Are you serious?	7/12/2017 8:22 PM
371	Add to the quality of our life.	7/12/2017 8:20 PM
372	Access to shoreline and schools are biggest reasons we chose to settle in Cape Elizabeth.	7/12/2017 8:19 PM
373	Access to the shore is one of the reasons I love this town	7/12/2017 8:08 PM
374	the view and proximity to the ocean is a major reason we bought this house.	7/12/2017 7:23 PM
375	Access to the ocean view	7/12/2017 7:06 PM
376	There are very few areas where citizens have access to the ocean due to the encroachment of development.	7/12/2017 7:05 PM
377	Access to these coastal walks may be denied if the Town vacates these paper streets.	7/12/2017 6:26 PM
378	The Cape Elizabeth public lives here because of easy access to our beautiful natural areas. Denying this will reduce all of our property values and 'ghettoize' non coastal residents.	7/12/2017 6:16 PM
379	It's one of the reasons we moved here. Public access to a valuable resource should be protected.	7/12/2017 6:12 PM
380	see above	7/12/2017 5:29 PM
381	you can only be out in the sun for so long.	7/12/2017 5:11 PM
382	I have a residential lobster license and launch my boat on crescent beach	7/12/2017 4:57 PM
383	See comment above. I enjoy daily walks on the coastal trails in Shore Acres.	7/12/2017 4:53 PM
384	Has been brought up before and they never seem to give up fighting to keep the rest of us from those places.	7/12/2017 4:38 PM
385	There is a small public beach at the end of our road and it is an integral part of our lives here all year round.	7/12/2017 4:33 PM
386	My kids sail but there are no options in Cape	7/12/2017 4:28 PM
387	I love the beach and shore- close up is important	7/12/2017 4:22 PM
388	I do not think access to the shore should be only for the wealthy. We are so fortunate to live where we do and I would love to see more access to the shore for my family.	7/12/2017 4:02 PM
389	It's the most beautiful area in the state	7/12/2017 3:27 PM
390	These are public assets to be enjoyed by any Cape resident desiring to do so. The Town should never vacate its rights in these assets as is currently happening with the Surfside paper street.	7/12/2017 3:18 PM
391	Reason for living here	7/12/2017 2:56 PM
392	I swim, snorkel, walk, fish and kayak, all requiring access.	7/12/2017 2:39 PM
393	It's one of the main reasons I moved to Cape Elizabeth.	7/12/2017 2:37 PM
394	Town Council meeting of 7-10-17 was a sham, threatening the public's right to access the shoreline paths.	7/12/2017 2:24 PM
395	It has become very difficult to access the Shore unless you have purchased a shore front home. It is critical that the residents of Cape have access to the Shore, particularly with more and more homeowner wishing to limit access to the general public.	7/12/2017 2:22 PM
396	Cliff House Beach access is granted in my deed.	7/12/2017 1:36 PM

397	Shore access was the determining factor when we bought our house here 40 years ago. The ability to have access to all forms of recreation on the shore has been an essential quality of life issue. it enables all to participate regardless of need to engage in cost prohibitive memberships. It does not pose limits in terms of access times or seasons.	7/12/2017 1:27 PM
398	Public Access to the ocean is precious, and opportunities are very limited. Too many people think only of themselves when it comes to the shoreline and they strive for exclusivity. I wish Maine required public access to the shoreline like California does. The Town should do all possible to protect, preserve, and maintain all current and potential public access to the shoreline for all in the community to enjoy for outdoor recreation including individuals fishing for stripers off the shoreline, and for our fisherman who fish for a living.	7/12/2017 1:24 PM
399	View more important than actual contact with water as it is always to cold to go swimming.	7/12/2017 12:32 PM
400	I moved to Cape as it is on the ocean.	7/12/2017 11:12 AM

### Q5 How often do you access/visit the Cape Elizabeth shore during the months of June, July, and August?

Answered: 491 Skipped: 6



ANSWER CHOICES	RESPONSES	
Several time a week	72.71%	357
Once a week	9.78%	48
A few times a month	6.31%	31
Monthly	2.24%	11
Never	0.20%	1
Other (please specify)	8.76%	43
<b>TOTAL</b>		<b>491</b>

#	OTHER (PLEASE SPECIFY)	DATE
1	I live very near the water with ocean views; walking my pets daily along the coastline. I value deeply the area in which I live and make access to the ocean a daily occurrence.	9/14/2017 4:17 PM
2	Try to go everyday and to various places.	9/14/2017 4:07 PM
3	almost every day	9/14/2017 9:44 AM
4	At least once every day.	9/8/2017 11:01 AM
5	We live here.	9/4/2017 7:27 PM
6	Every day.	9/4/2017 7:57 AM
7	Daily	8/29/2017 11:21 AM
8	once a week or more. Would visit more if there was more access.	8/28/2017 7:13 AM

9	I go to Scarborough beach more often.	8/21/2017 8:27 PM
10	I am unable to climb up and down the steps now.	8/21/2017 4:03 PM
11	Being retired I walk at least two miles of coastland every other day so I am familiar with most of the Cape coast.	8/20/2017 7:21 PM
12	Walk at Kettle Cove almost every day. We should have more parking there for Cape residents. Work with the State to make that happen please!	8/18/2017 7:46 AM
13	Live on the water and often walk the neighborhoods in my area and to kettle cove, two lifts and portland headlight	8/14/2017 6:23 AM
14	every day	8/13/2017 8:22 PM
15	Daily	8/9/2017 8:53 AM
16	it depends on how you define access. Is running along Shore Road to Kettle Cove access to the shore? I think so.	8/8/2017 8:18 PM
17	Whenever I visit the area	8/8/2017 5:28 PM
18	Myaccess is daily.	8/8/2017 12:44 PM
19	We are year round walkers/runners.	8/8/2017 7:06 AM
20	We live in CE because of access to the ocean. Increasingly our access is being restricted either by outright exclusion (Maiden Cove Assoc.), fees (Kettle Cove will be initiating fees next summer-with a State employee enforcing payment for entry), Channel Cove in Fort Williams is overpopulated and the "free beach" of choice for much of Portland residents, Paper Trails was a hopeful event but politically motivated voting by the Town Board has squelched that. Not sure if we want to stay here any longer. Without (peaceful) ocean access CE is just another metro-bedroom community without character.	8/7/2017 9:35 AM
21	usually daily.....sometimes twice a day (morning & night)	8/5/2017 5:45 PM
22	We live in South Portland & visit CE shore all during the year - frequently, not just during the summer season.	8/4/2017 4:21 PM
23	It is highly variable during those months.	8/4/2017 2:03 PM
24	Daily,	8/4/2017 10:37 AM
25	I access these sites multiple times per week, some times multiple times in a day. Again, water access was a huge part of my decision to buy in CE.	8/1/2017 8:40 PM
26	6-7 days/week	8/1/2017 6:41 PM
27	Almost every day in the summer - we go to Broad Cove or Trundy for a walk	8/1/2017 1:44 PM
28	We access / visit the shore of Cape Elizabeth multiple times during a given week during the months of Mar through Dec. We walk to or bike to nearby access points and drive to other shoreline access points. Summer usage	8/1/2017 8:15 AM
29	every day, sometimes twice a day.	7/28/2017 9:19 AM
30	Daily	7/28/2017 8:12 AM
31	almost daily	7/26/2017 7:49 PM
32	Life is busy.	7/25/2017 8:10 PM
33	Almost daily. My family and I live in Shore Acres. We walk to Trundy Beach almost daily during the summer and several times a week during the other months of the year. We also walk along Surf Side and have been WELCOMED by the homeowners who live along the path to walk there. The vegetation and beaches along Surf Side are very fragile so, while we may walk the path, we rarely go down to the beach in order to protect that area.	7/25/2017 6:37 PM
34	I walk on the dirt roads along the shore where it is safe, and foot traffic is welcome	7/25/2017 1:46 PM
35	We walk to the shore line everyday multiple times	7/20/2017 5:16 AM
36	Every day for month of July	7/16/2017 3:12 PM
37	Once a week or more; the difficulty is access in the summer months when tourists are everywhere.	7/14/2017 7:43 AM

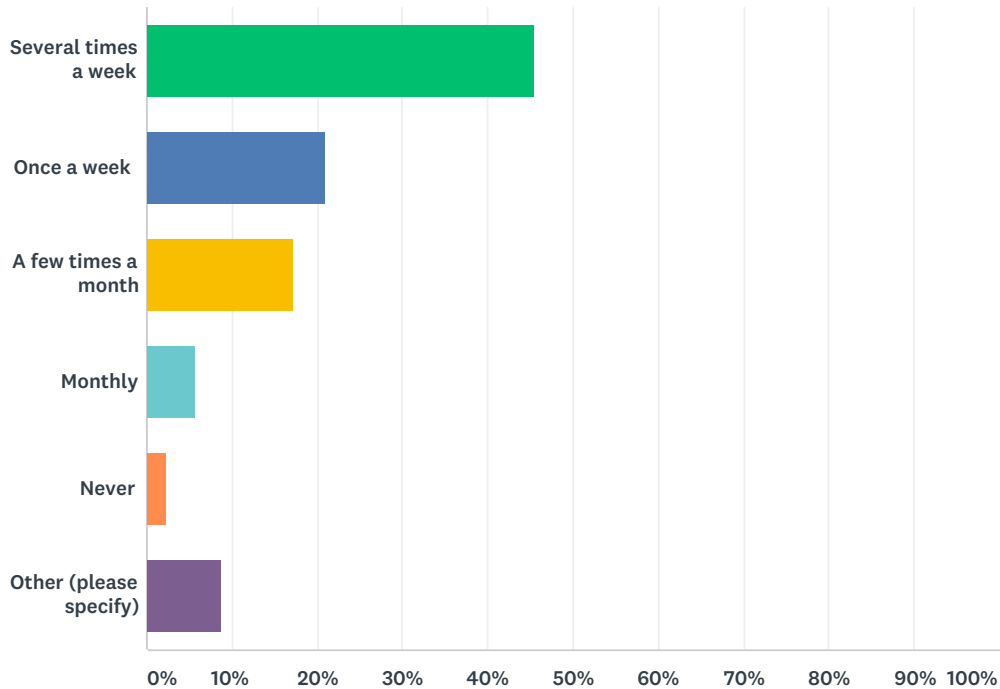
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38	Daily	7/13/2017 1:53 PM
39	I go to Fort Williams almost daily but don't go to the beach there	7/12/2017 5:11 PM
40	Daily.	7/12/2017 4:53 PM
41	Since we don't keep a diary on it, we'd say several times a month, during all the seasons.	7/12/2017 4:38 PM
42	Pretty much every day...all four seasons	7/12/2017 3:18 PM
43	Every day of the year. We live in Shore Acres and access the shoreline via Surfside Avenue at least once per day, and often 2 or 3 times a day. It is a very special place with breathtaking views of the open ocean and Two Lights Light House. We would like the Town to accept this paper street and Atlantic Place paper street so that all people of Cape Elizabeth can continue to enjoy it now and forever more. There are scenic lookouts, a beach, and a huge expanse of land to enjoy. Fishermen from all over come to fish for stripers when they are running and its fun to meet them. We've met some wonderful people throughout Cape because of these paper streets. They serve as a beautiful community builder and a wonderful and peaceful respite for all.	7/12/2017 1:24 PM

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### Q6 How often do you access/visit the Cape Elizabeth shore during the months of September through May?

Answered: 494 Skipped: 3



ANSWER CHOICES	RESPONSES
Several times a week	45.34% 224
Once a week	20.85% 103
A few times a month	17.21% 85
Monthly	5.67% 28
Never	2.23% 11
Other (please specify)	8.70% 43
<b>TOTAL</b>	<b>494</b>

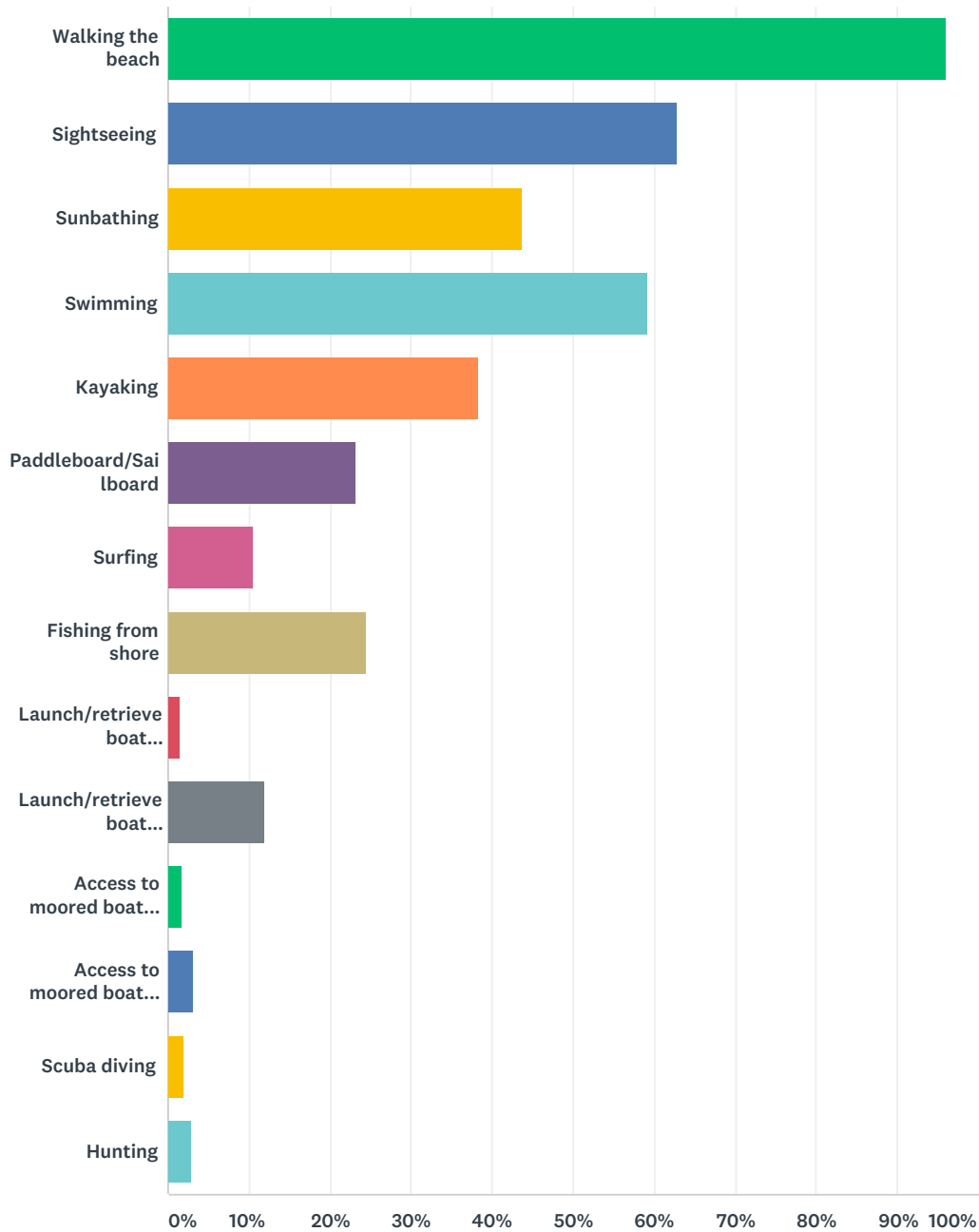
#	OTHER (PLEASE SPECIFY)	DATE
1	almost every day	9/14/2017 9:44 AM
2	At least once almost every day.	9/8/2017 11:01 AM
3	Infrequently	9/6/2017 1:44 PM
4	We live here all year	9/4/2017 7:27 PM
5	Every day.	9/4/2017 7:57 AM
6	Sept -November at least once a week. December through March once a month. April once a week if not more.	9/2/2017 7:41 AM
7	Daily	8/29/2017 11:21 AM
8	the beeches are too hard to access for me.	8/21/2017 4:03 PM



9	Several times a week	8/15/2017 7:23 AM
10	Live on the water and often walk the neighborhoods in my area and to kettle cove, two lifts and portland headlight	8/14/2017 6:23 AM
11	every day	8/13/2017 8:22 PM
12	F	8/10/2017 7:06 AM
13	Daily	8/9/2017 8:53 AM
14	Same as in the summer.	8/8/2017 8:18 PM
15	Depending on when I visit	8/8/2017 5:28 PM
16	Daily.	8/7/2017 9:35 AM
17	As above, as residents of South Portland we are frequent visitors year round.	8/4/2017 4:21 PM
18	see above	8/1/2017 8:40 PM
19	5-6 days/week - ice-dependent.	8/1/2017 6:41 PM
20	Other then really cold days, i visit the beach and he shore 2-3 time a week	8/1/2017 2:43 PM
21	Depending on the winds, we go 2-3 times a week in the off season.	8/1/2017 1:44 PM
22	We access / visit the shore of Cape Elizabeth multiple times during a given week during the months of Mar through Dec. We walk to or bike to nearby access points and drive to other shoreline access points. Summer usage	8/1/2017 8:15 AM
23	Y	7/29/2017 5:56 AM
24	an average of 4-6 times.	7/28/2017 9:19 AM
25	K	7/27/2017 9:09 PM
26	Sept., Oct., Apr., May., several times a week. Nov. - March a few times a month.	7/27/2017 10:38 AM
27	Infrequently	7/26/2017 11:48 AM
28	Winter is cold.	7/25/2017 8:10 PM
29	Rarely, but do sometimes take advantage of the opportunity to snowshoe or xc ski along Shore paths at Fort Williams or Crescent Beach on occasion during the off season.	7/25/2017 7:13 PM
30	Several times a week Sept and Oct, then once a week over the winter, and more again in April and May. The frequency of access during the 'off season' should have no bearing on the ability to access the shore at any time.	7/25/2017 4:02 PM
31	Twice per week	7/25/2017 3:44 PM
32	All the time...same as above. If I want a beach walk, I go to the beaches like everybody else	7/25/2017 1:46 PM
33	WE VIEW THE OCEAN AND HAVE WALKED OUR DOGS FOR 30+ YEARS ALONG SURFSIDE ROAD AT LEAST A COUPLE OF TIMES PER WEEK ALL YEAR LONG.	7/24/2017 8:29 AM
34	We walk to the shore line everyday multiple times	7/20/2017 5:16 AM
35	Occasionally as weather permits.	7/15/2017 12:47 PM
36	Daily	7/13/2017 1:53 PM
37	Again, showing visitors our lovely town and all it has to offer	7/13/2017 5:42 AM
38	Sept/Oct/Nov we went at least once a week. Dec/Jan/Feb/Mar about once a week. April/May several times a week.	7/12/2017 8:27 PM
39	6 months resident	7/12/2017 6:38 PM
40	Daily	7/12/2017 4:53 PM
41	see to last question	7/12/2017 4:38 PM
42	Almost every day	7/12/2017 3:18 PM
43	Every day except during a really strong nor-easter. Please see the answer to question # 5. Thanks.	7/12/2017 1:24 PM

### Q7 Which activities do you engage in on the Cape Elizabeth shore (check all that apply)?

Answered: 494 Skipped: 3



ANSWER CHOICES	RESPONSES	
Walking the beach	95.95%	474
Sightseeing	62.75%	310
Sunbathing	43.72%	216
Swimming	59.11%	292

Kayaking	38.26%	189
Paddleboard/Sailboard	23.28%	115
Surfing	10.53%	52
Fishing from shore	24.49%	121
Launch/retrieve boat (commercial)	1.42%	7
Launch/retrieve boat (residential)	11.94%	59
Access to moored boat (commercial)	1.62%	8
Access to moored boat (residential)	3.24%	16
Scuba diving	1.82%	9
Hunting	2.83%	14
Total Respondents: 494		

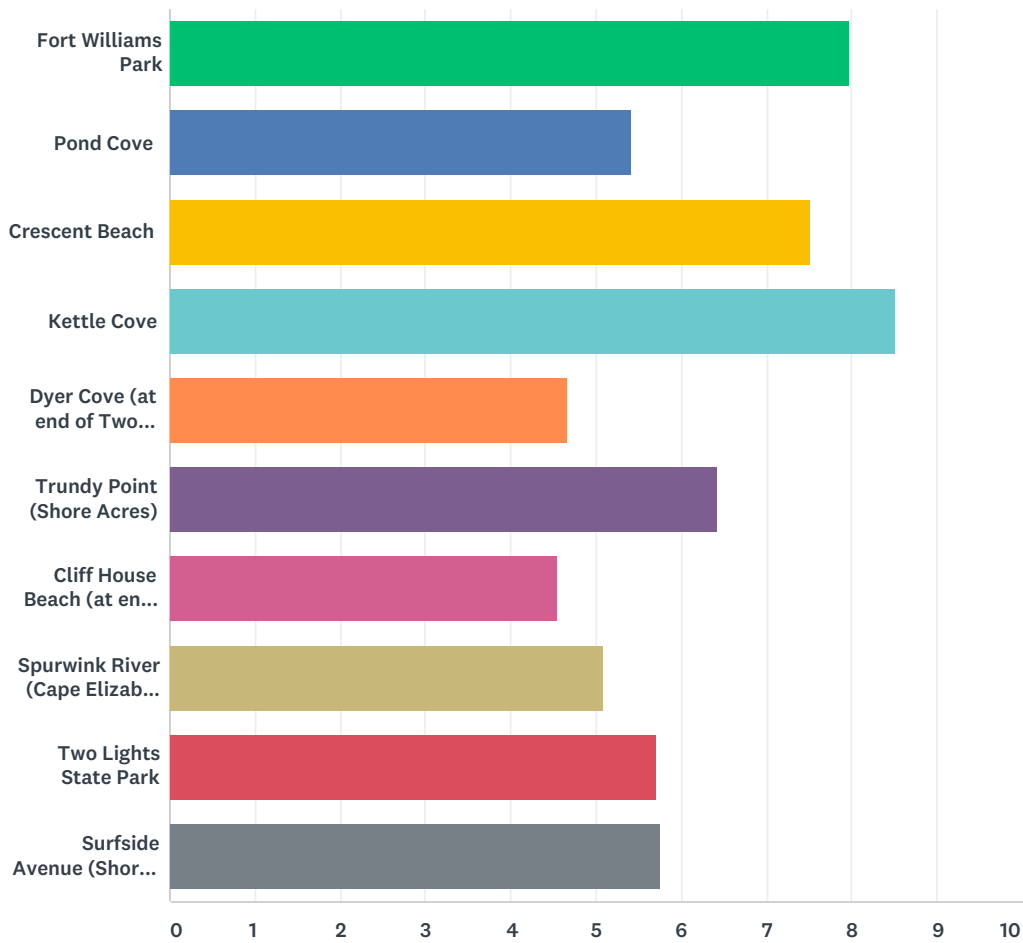
#	OTHER (PLEASE SPECIFY)	DATE
1	Would use my boat if easier access.	9/17/2017 1:16 PM
2	Fort Williams, Two lights, crescent beach trail.	9/14/2017 4:17 PM
3	observing shore birds and wildlife and sea critters and plant-life through changing seasons, and appreciating geologic and astronomic features and phenomenon.	9/14/2017 9:44 AM
4	birdwatching, wildlife watching, photography, picnicking, walking the trails	9/12/2017 2:31 PM
5	Photography, birdwatching, exploring tidal life, gathering seaweed for mulch	9/12/2017 6:38 AM
6	None of the above.	9/7/2017 11:04 AM
7	Just sitting by the water. Seascape photography. Bird watching. Spotting marine mammals.	9/3/2017 3:11 PM
8	Birdwatching, photography, spending time with family, introducing inland grandchildren to the shore, its beauty and preservation.	8/28/2017 11:16 PM
9	Painting on location.	8/28/2017 4:06 PM
10	I checked "sunbathing," but I am sitting in my portable chair, reading, enjoying the scenery, stillness, and beauty. At times, I am enjoying the other folks who are doing the same. We all share.	8/28/2017 9:43 AM
11	snowshoeing, climbing on the rocks, bird watching	8/24/2017 7:38 PM
12	I am an active retired person and spend much of my time outdoors and on the beach.	8/20/2017 7:21 PM
13	Bike riding the paths at Crescent Beach	8/17/2017 10:53 AM
14	bicycling	8/14/2017 12:57 PM
15	I feel the beach should be open to all and never paid for access, including its access	8/14/2017 7:40 AM
16	Walking the dog	8/13/2017 2:49 PM
17	Running trails is wonderful to be able to run along the shoreline on paper streets	8/13/2017 10:07 AM
18	Running and trails at Kettle Cove, Two Lights Park and Crescent Beach	8/13/2017 6:37 AM
19	our children love to explore the tide pools and climb rocks	8/12/2017 6:26 AM
20	enjoying a peaceful moment	8/10/2017 8:34 AM
21	Wading, Tidepooling, watching the waves, nothing in particular just being at the shore	8/10/2017 7:06 AM
22	Running and biking on the beach. Having picnics and cookouts on the shore. Sitting and practicing mindfulness on the shore.	8/9/2017 5:45 AM
23	Tide pooling recreation, and exercise	8/8/2017 9:20 AM

24	Is there even a resident boat launch for Cape? We launch at Bug Light or Ferry Beach. Frustrating to have to pay non-resident fees.	8/8/2017 7:06 AM
25	Dog walking/swimming	8/7/2017 11:18 AM
26	Walk to trundy point everyday.	8/7/2017 8:59 AM
27	Art	8/4/2017 9:12 PM
28	I launch and moor my boat in other towns since access is better marked and more parking is available.	8/3/2017 4:41 PM
29	Walking along the shoreline is a unique experience. Uplifting. Invigorating. Is what makes Cape Elizabeth special.	8/2/2017 8:14 AM
30	Sunrise viewing (morning coffee at Fort Williams), the Super Moon at Cliff House, picnicking, and general showing off to my family and friends who come to visit.	8/1/2017 8:40 PM
31	Very good access at State Parks, Kettle Cove--Thank you for that...up coming challenge in the Shore Acres paper road dilemna...feeding into addt'l dwindling access of limited shoreline resource. Why would town not work with Conservation Committee to preserve access ?	8/1/2017 7:53 PM
32	Dog walks on beaches where they are allowed.	8/1/2017 1:44 PM
33	Relaxation (Viewing Sunrises, Sunsets); Special Environmental Events (Solar Eclipse, Lunar Eclipse, Star Gazing, Off-Shore Hurricanes etc.); Photography; Wildlife observation	8/1/2017 8:15 AM
34	Contemplating the sea and sky.	7/31/2017 9:10 PM
35	Bird watching, viewing sunrises and sunsets, plant identification and observing seasonal changes	7/31/2017 5:34 PM
36	Collecting seaglass, sand castle building	7/30/2017 8:05 AM
37	Biking along the coast	7/29/2017 6:07 PM
38	Soul rejuvenation, mindfulness, peace and quiet, a place to think.	7/29/2017 2:18 PM
39	Swimming and sunbathing only on my deeded beach	7/29/2017 10:15 AM
40	Running	7/29/2017 8:05 AM
41	Also, hiking on provided trails.	7/28/2017 8:02 PM
42	Pickleball at Fort Williams. And dog walking wherever allowed.	7/28/2017 2:10 PM
43	Birding	7/28/2017 10:14 AM
44	Nature photography	7/28/2017 9:19 AM
45	dog walking (following guidelines for each location of course)	7/28/2017 8:15 AM
46	dog swimming where and when allowed	7/27/2017 5:13 PM
47	Off leash dog park at Fort Williams as well as volunteering to maintain a garden at Fort Williams	7/27/2017 1:08 PM
48	See answer to Q#4	7/27/2017 9:27 AM
49	cross country skiing and snow shoeing	7/26/2017 7:49 PM
50	photography; if there were sailboat moorings, to access a moored recreational boat; in the past - fishing and scuba diving	7/26/2017 12:20 PM
51	dog walking, birding	7/25/2017 8:31 PM
52	Spending time with family	7/25/2017 6:07 PM
53	Picnicking and meeting friends. Walking the dog.	7/25/2017 4:02 PM
54	Picnics.	7/25/2017 2:49 PM
55	Birdwatching	7/25/2017 7:34 AM
56	Dog walking	7/20/2017 5:16 AM
57	I take my dogs to Willard Beach summer mornings. I appreciate very much the dog park in Fort Williams Park.	7/18/2017 11:42 AM

58	Reading, sitting and relaxing, cookouts, Easter egg hunts, walking the rocks and paths, watching the boats, cruise ships, tall ships when they come in, ... just enjoying the lack of traffic, peacefulness, sound of the surf breaking on the rocks...	7/16/2017 11:48 PM
59	I cannot overstate the effect of having the view of the ocean accessible during walking neighborhoods! It is the reason we moved here!	7/13/2017 1:53 PM
60	walking at the Fort.	7/13/2017 1:00 PM
61	We especially like walking along the formal and informal shore paths of Surfside Avenue.	7/13/2017 8:50 AM
62	Exploring the natural shoreline with children.	7/13/2017 7:55 AM
63	Having little kids discover nature and learn the beauty of Cape Elizabeth as much as possible	7/13/2017 12:47 AM
64	We want to put in a mooring at our neighborhood beach but we're placed on a waiting list when the harbor master position was consolidated with Scarborough after being told there was a spot by the previous harbor master. Communication with the current harbor mater had been very very poor. Email, phone and written correspondence efforts to the current harbor master were all ignored or not returned.	7/12/2017 9:36 PM
65	Responsible dog walking	7/12/2017 6:29 PM
66	Responsible Dog Walking	7/12/2017 6:16 PM
67	picnics meditation	7/12/2017 5:29 PM
68	Fishing from a boat	7/12/2017 4:57 PM
69	Unfortunately, as 90 year olds we can no longer do other things than checked.	7/12/2017 4:38 PM
70	My children sail but there are no options in Cape. We need an area of town zoned for a sailing marina.	7/12/2017 4:28 PM
71	Watching the birds and rolling surf, snow shoeing, photography, neighborhood events	7/12/2017 3:18 PM

### Q8 Which public access points do you use (Rank by frequency with 1 being most frequent)?

Answered: 490 Skipped: 7



	1	2	3	4	5	6	7	8	9	10	TOTAL	SCORE
Fort Williams Park	31.64% 137	15.01% 65	19.63% 85	13.16% 57	8.55% 37	5.31% 23	2.54% 11	1.39% 6	1.15% 5	1.62% 7	433	7.97
Pond Cove	5.36% 14	6.51% 17	11.49% 30	12.26% 32	13.41% 35	11.49% 30	15.33% 40	9.96% 26	7.28% 19	6.90% 18	261	5.41
Crescent Beach	11.06% 45	22.60% 92	23.83% 97	17.44% 71	13.51% 55	5.16% 21	1.47% 6	3.19% 13	0.74% 3	0.98% 4	407	7.52
Kettle Cove	29.05% 131	29.93% 135	21.73% 98	11.75% 53	3.99% 18	1.33% 6	0.22% 1	0.89% 4	0.22% 1	0.89% 4	451	8.51
Dyer Cove (at end of Two Lights Road)	2.00% 5	2.80% 7	3.60% 9	10.40% 26	15.60% 39	19.20% 48	15.60% 39	12.40% 31	12.80% 32	5.60% 14	250	4.67

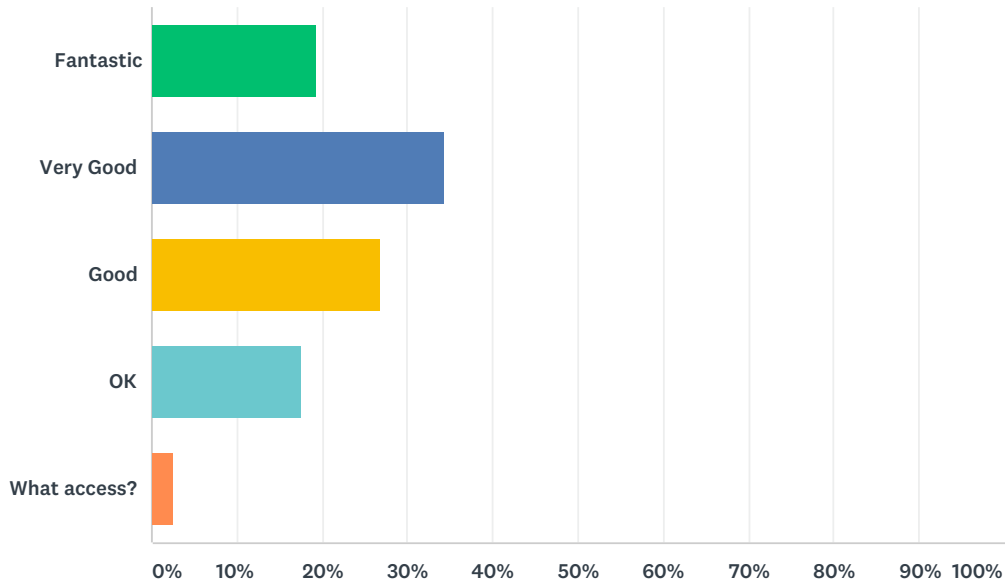
Cape Elizabeth Shoreline Access Survey

SurveyMonkey

Trundy Point (Shore Acres)	16.49% 48	19.24% 56	6.19% 18	9.97% 29	9.62% 28	8.25% 24	9.62% 28	9.28% 27	8.25% 24	3.09% 9	291	6.42
Cliff House Beach (at end of Sea View Avenue)	10.50% 25	6.72% 16	6.72% 16	5.04% 12	7.14% 17	7.14% 17	7.14% 17	13.45% 32	15.55% 37	20.59% 49	238	4.54
Spurwink River (Cape Elizabeth side)	3.23% 9	4.66% 13	10.39% 29	12.90% 36	15.77% 44	13.26% 37	8.24% 23	11.83% 33	11.47% 32	8.24% 23	279	5.08
Two Lights State Park	2.58% 9	5.44% 19	12.61% 44	20.92% 73	17.48% 61	10.89% 38	14.04% 49	5.73% 20	7.16% 25	3.15% 11	349	5.72
Surfside Avenue (Shore Acres)	20.43% 57	13.26% 37	7.53% 21	4.66% 13	5.02% 14	10.75% 30	6.45% 18	5.38% 15	7.53% 21	19.00% 53	279	5.76

## Q9 How would you rate the current public access to the ocean shore in Cape Elizabeth?

Answered: 491 Skipped: 6

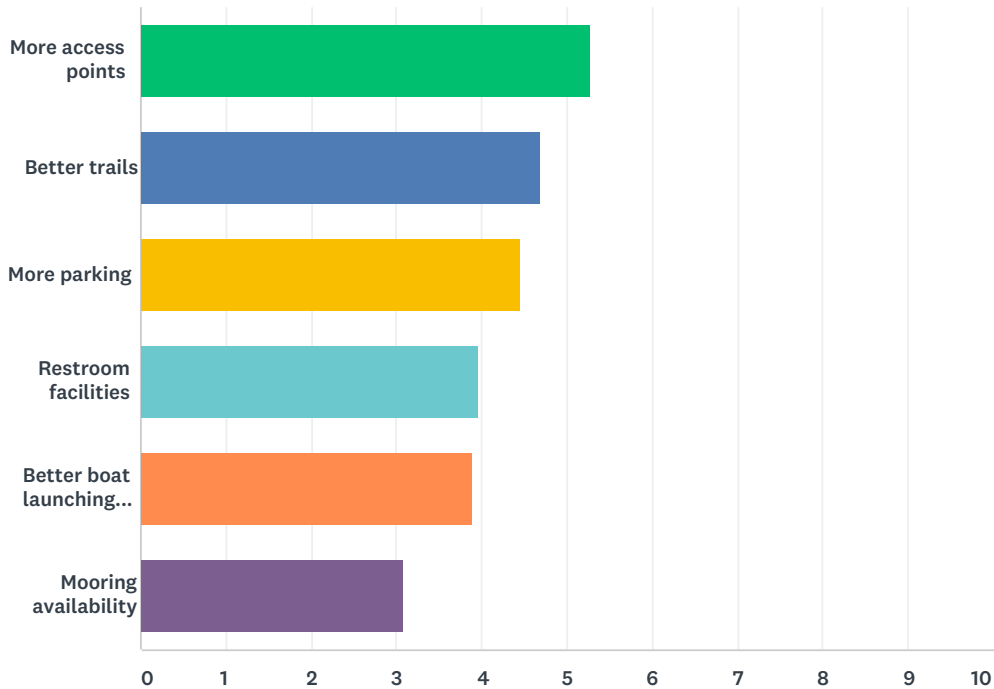


ANSWER CHOICES	RESPONSES	
Fantastic	19.14%	94
Very Good	34.22%	168
Good	26.68%	131
OK	17.52%	86
What access?	2.44%	12
<b>TOTAL</b>		<b>491</b>



### Q10 If you could improve the public access to the shore in Cape Elizabeth, what would be your top three improvements?

Answered: 458 Skipped: 39



	1	2	3	4	5	6	TOTAL	SCORE
More access points	59.95% 223	23.39% 87	9.68% 36	2.42% 9	1.34% 5	3.23% 12	372	5.28
Better trails	23.40% 73	42.95% 134	21.47% 67	6.41% 20	3.21% 10	2.56% 8	312	4.69
More parking	22.30% 66	28.72% 85	32.43% 96	8.45% 25	5.07% 15	3.04% 9	296	4.46
Restroom facilities	16.10% 33	20.98% 43	29.76% 61	17.56% 36	7.32% 15	8.29% 17	205	3.96
Better boat launching facilities	23.86% 42	15.34% 27	23.30% 41	9.09% 16	19.89% 35	8.52% 15	176	3.89
Mooring availability	8.22% 12	17.81% 26	17.12% 25	14.38% 21	14.38% 21	28.08% 41	146	3.07

## Q11 Please tell us how the Town of Cape Elizabeth can improve public access to the shore and waters?

Answered: 316 Skipped: 181

#	RESPONSES	DATE
1	Less restrictive street parking, upkeep,	9/17/2017 1:16 PM
2	Good as is.	9/16/2017 8:34 AM
3	Preserve paper streets that grant access and work with the community to develop a plan that provides access and addresses neighborhood concerns.	9/15/2017 8:17 PM
4	Two lights free for residents and clarification of what is public vs private	9/15/2017 3:08 PM
5	It is totally fine the way it is now.	9/15/2017 1:17 PM
6	Increase no. of access points to walkers.	9/14/2017 6:00 PM
7	A specific map of each location, where to park, where to walk	9/14/2017 4:17 PM
8	Preclude landowners or groups from blocking access to previously available paths.	9/14/2017 4:07 PM
9	when feasible purchase land/easements	9/14/2017 10:26 AM
10	Enhance access on current trails and along common walking patterns, resist changes to zoning that allow people to "close the door behind" themselves when purchasing shore property, consider continuous education efforts to enhance our individual and collective stewardship of these precious ecosystems, and open our hearts and minds to allow others to share in this amazing feature of our town. If we don't all grow in our appreciation of the bounty of nature that surrounds us, fewer and fewer of us will appreciate how important it is to be environmentally responsible caretakers of this one world we've been given to live in.	9/14/2017 9:44 AM
11	don't need to change a thing	9/14/2017 5:22 AM
12	Make known all access points (I wasn't aware of some) and how to use them appropriately.	9/13/2017 9:40 PM
13	Kayak storage/rental facility	9/13/2017 6:21 PM
14	Keep historic access available and add new boat access	9/13/2017 4:54 PM
15	Quite happy with current state of access.	9/13/2017 6:21 AM
16	Publish a map of public access points, including type of access (foot path vs. parking lot), parking (# spots), uses (e.g., kayaking, fishing, swimming, boating) and amenities (e.g., restrooms, water fountains)	9/12/2017 3:50 PM
17	I'm not sure where the Trundy Point and Surfside Ave access points are, and I don't necessarily think they need to be publicized or "improved".	9/12/2017 2:31 PM
18	Extend public trails along shore	9/12/2017 6:38 AM
19	Cape Elizabeth should re-establish the old access road to Crescent Beach, making it easier for residents to park on the beach and access the water for beach activities, swimming, kayaking, boating, etc.	9/12/2017 6:28 AM
20	More access is better!	9/11/2017 7:07 AM
21	It would be great to have a public launch for small craft like sailboats.	9/9/2017 10:49 AM
22	Nothing	9/9/2017 7:16 AM
23	Better launch	9/8/2017 1:25 PM
24	Better organize KC boat launching facilities	9/8/2017 11:01 AM
25	no improvements needed. great as is. thank you!	9/7/2017 1:00 PM
26	It's fine as it is	9/7/2017 11:25 AM

27	We have plenty of access points that are available to residents and nonresidents of ce. We also have a great balance between private neighborhoods and public access and I believe it is not in our best interest to increase public access to private neighborhoods	9/6/2017 8:28 PM
28	It is fine the way it is.	9/6/2017 6:26 PM
29	More parking	9/6/2017 6:06 PM
30	I think we have enough access	9/6/2017 5:35 PM
31	I think we are doing fine as it is. Thank you.	9/6/2017 3:56 PM
32	We have fabulous opportunities in Cape Elizabeth. We are so lucky to have Fort Williams! Should be spending ,ore to take care of this very precious asset.	9/6/2017 2:53 PM
33	No complaints.	9/6/2017 2:14 PM
34	Improve access for commercial fishermen. Protect the commercial access point at Kettle Cove	9/6/2017 6:32 AM
35	Expand Crescent Beach and facilities	9/4/2017 7:27 PM
36	It does not need improvement. However, it might be good if the public would take better care of the places they currently access so the town doesn't have to spend town funds cleaning up after them.	9/4/2017 7:57 AM
37	Clearly mark all access points, physically and on town maps	9/3/2017 9:55 PM
38	Do not block shore access to non Cape Elizabeth property owners.	9/3/2017 3:11 PM
39	Preserve current access. Work with land owners to expand access.	9/1/2017 9:15 AM
40	We have lived in Cape for 39 years and I remain hopeful that the town will come up with a way that I can launch my 18' boat inthe ocean in town. Crescent Beach is too flat and does not work for a boat of any size. Shared use of the commercial access at Kettle Cove at certain times of day or on Sundays would be great. Also, is there any place in town where I might legally dig a few pounds of steamers?	8/31/2017 2:26 PM
41	Don't give up Surf side Ave. No need for more boat launching but better pedestrian access at beach.	8/31/2017 2:18 PM
42	More where possible	8/31/2017 11:10 AM
43	Access is quite good now.	8/31/2017 7:22 AM
44	keep paper road public access for everyone	8/30/2017 8:31 AM
45	Keep it for cape and ease tax on those who share	8/30/2017 5:33 AM
46	Just don't take private property and focus on improving existing access. We don't need the entire town to be a green space.	8/29/2017 2:41 PM
47	By not letting the wealthy try to buy it and slim it access	8/29/2017 11:21 AM
48	There is enough public access!	8/29/2017 8:49 AM
49	Help keep it public and friendly.	8/29/2017 7:30 AM
50	Keep it public and accessible!	8/29/2017 5:57 AM
51	Protect access for public use for all current access. CELT where possible to ensure it. Develop informational trail markers. Have community walks or gatherings	8/28/2017 11:16 PM
52	Parking	8/28/2017 6:04 PM
53	Prevent private owners from closing access to shore and waters that have been traditionally available to Cape residents as a matter of courtesy and civility.	8/28/2017 9:43 AM
54	connecting trail systems via other regional trails, access points	8/28/2017 9:34 AM
55	Moorings and dingy dock	8/28/2017 9:30 AM
56	I think they do a good job of balancing the public's right of access with the privacy rights of homeowners	8/28/2017 9:22 AM
57	Create a dedicated fund for improvements by charging non-residents for parking at Fort Williams	8/28/2017 8:40 AM
58	More access	8/28/2017 7:14 AM
59	don't give up our right to paper streets	8/24/2017 7:38 PM

60	No need	8/23/2017 10:41 AM
61	All beaches should be open to the public.	8/21/2017 4:03 PM
62	I value the great work the Cape Elizabeth Land Trust is doing to help connect different trails. I hope this work can continue. I also think Cape Elizabeth should develop a Greenbelt trail that runs along the shore.	8/21/2017 3:06 PM
63	I access the ocean at the south end of Crescent beach and I have to pay \$25 to do so. I understand that starting next year in order to use Kettle Cove a fee will need to be paid as in State Parks, just another access that was once free is not gone. Right now I and the other residents of CE are the only ones required to pay to use Fort Williams (ie. taxes) while we spend our money cleaning up after the thundering heards of people using the park. I can no longer go to the park during June, July, August without having difficulties finding a place to park and viewing the inconsiderate "tourists" in complete vacation mode.	8/20/2017 7:21 PM
64	More access points to areas and parking spaces	8/20/2017 8:46 AM
65	No improvement needed.	8/19/2017 12:01 PM
66	See above	8/19/2017 10:05 AM
67	No dogs allowed	8/19/2017 5:27 AM
68	I don't really think there are any improvements needed, especially if there is additional cost required for the improvements!	8/18/2017 2:36 PM
69	We'd love to get a small boat, but launching facilities are so limited.	8/18/2017 11:07 AM
70	More shoreline access yo!	8/18/2017 10:59 AM
71	More parking for Cape residents, less parking for non-Cape residents.	8/18/2017 7:54 AM
72	Put a trail on Surf in Trundy. More parking at Kettle Cove for residents	8/18/2017 7:46 AM
73	change the access road onto Crescent Bch to the one being recommended by the fishermen's alliance, much more user friendly and better for the residents that live at the end of Kettle Cove Rd.	8/17/2017 10:53 AM
74	Have a restricted time to launch/haul out in the commercial area,I must use the area twice yearly,	8/16/2017 3:53 PM
75	I'm part of the Cape Fishermen's Alliance. We have provided our recommendations to you already.	8/16/2017 7:30 AM
76	Protect public access--don't give away public rights to paper streets, for example.	8/15/2017 7:23 AM
77	I think it's great the way it is.	8/14/2017 7:04 PM
78	I think it is presently good. Don't change it.	8/14/2017 5:58 PM
79	By allowing all citizens access to the shore where ever the shore may be.	8/14/2017 3:37 PM
80	Increase the number of points of access. Parking helps when putting in a canoe or kayak.	8/14/2017 3:20 PM
81	Create more easy access trails to the shore.	8/14/2017 3:10 PM
82	The town of Cape Elizabeth should continue to protect access to the shore. Please don't give away any access via the vacation of paper streets.	8/14/2017 12:57 PM
83	Cared for access paths and markers. Perhaps cared for by the neighborhood associations	8/14/2017 7:40 AM
84	It does not need to	8/14/2017 7:39 AM
85	Support those with right of way access	8/14/2017 6:58 AM
86	Maintain trails!	8/14/2017 6:34 AM
87	Better trails	8/14/2017 6:20 AM
88	?	8/14/2017 5:12 AM
89	Continue to allow access points and improve trails on these access points.	8/13/2017 10:52 AM
90	Keep the paper trails available for people that live in Cape Elizabeth to use for walking running and access	8/13/2017 10:07 AM
91	Preserve the traditional access points (esp. Surfside Ave and Trundy Point)	8/13/2017 9:43 AM
92	We already have plenty of access	8/13/2017 6:37 AM
93	invest in trails/side walks on streets near beach and streets that hook up to trails like Mitchell Rd	8/12/2017 6:26 AM

94	Keep the shore line trails opened.	8/11/2017 3:17 PM
95	Public access points to the shore on town's website if not there already.	8/11/2017 7:41 AM
96	Clear up confusion on the legal way to access these sites. For example, I always believed that Trundy point and surfside were not available to me. Please tell me where I can park and what I can access as a citizen.	8/11/2017 6:37 AM
97	pave it all	8/10/2017 8:34 AM
98	Don't remove the paper street.	8/10/2017 7:24 AM
99	Better signage, more widely available maps, bike parking areas, selected improvements for limited mobility citizens where suitable	8/10/2017 7:06 AM
100	Keep it open to the public!	8/9/2017 9:28 PM
101	I'm tired of people telling me that I can't access the water from Shore Rd as "it's private property" even though their house is across the road, on the non water side!	8/9/2017 8:53 AM
102	I am much more interested in keeping public access to shorelines open than any kind of improvements	8/9/2017 6:44 AM
103	I don't see improvements as important as keeping the access that currently exists.	8/9/2017 6:31 AM
104	We could keep it open for all, we could keep it connected, we could add bike racks and benches	8/9/2017 5:45 AM
105	Accept the decision to vacate the paper streets	8/8/2017 8:18 PM
106	Keep paper roads	8/8/2017 7:36 PM
107	Build respect for abutting neighbors'privacy with clear codes on conduct	8/8/2017 1:04 PM
108	By further developing the green belt and other paper streets.	8/8/2017 12:44 PM
109	Maintain and improve current access points, consider establishing new access points, and create and improve trails along the shore where public lands exist.	8/8/2017 9:20 AM
110	Parking at trailheads and more trails.	8/8/2017 7:06 AM
111	Include Surfside Ave and Atlantic Place in Greenbelt	8/7/2017 11:18 AM
112	Why are you asking this question, the town board voted down the recent initiative to maintain access to Shore Acres opportunities. The problem is with the individual interests of the Town Board.	8/7/2017 9:35 AM
113	Cape Elizabeth has an abundance of shore access. Rather than expanding to additional locations they should focus on upkeep and upgrades on the most visible and utilized spots.	8/7/2017 8:59 AM
114	More parking	8/5/2017 6:47 PM
115	good the way it is. do NOT curtail any access points.	8/5/2017 5:45 PM
116	How about a map showing access points?	8/5/2017 4:05 PM
117	Access Signage including importance of respect to adjacent landowners.	8/5/2017 7:27 AM
118	See question 10	8/4/2017 9:12 PM
119	The Harbors Committee should be consulting experts to sort this problem; that's why they are there!	8/4/2017 4:21 PM
120	Longtime resident of Cape who walks daily with my dog at the areas noted above.	8/4/2017 3:52 PM
121	More opportunities, maybe a Town Only beach	8/4/2017 10:52 AM
122	Many local homeowners try to hide public access points for their own enrichment...stop that practice!	8/4/2017 10:37 AM
123	Use and develop public access points on town land. Make property owners and citizens aware of the laws governing usage. Never block citizens from using shorelines by selling town land to developers.	8/4/2017 7:54 AM
124	Have the town council wake up and smell the ocean...it should be accessible to all the public	8/3/2017 7:19 PM

125	Please consider posting "Public access" signs in places along the shore. I live near the coastline but do not know how to access without cutting through private properties. I don't know if those who live near the water own the beach or not, but if there is access, please consider posting signs for everyone.	8/3/2017 4:41 PM
126	Do not take away access	8/3/2017 7:27 AM
127	Retain current publicly owned land and public access easements, and be vigilant for acquisition opportunities	8/2/2017 2:56 PM
128	Keep the paper streets; increase trails along the coast	8/2/2017 12:46 PM
129	Put the Shore Acres path issue through a proper democratic process.	8/2/2017 10:50 AM
130	PLEASE do not vacate the paper streets of Surfside Ave and Atlantic Place. We have deeded right to these BUT if the Town vacates, these adjacent homeowners will get even more aggressive is blocking access and harassing those who have this right. I think the town should realize that areas like this (Trundy Point is great example) are severely underused meaning that large numbers of people will never be a problem even if a GreenBelt trail was constructed. For years, before this "recent" influx of new people, use of these areas has never been a problem. Why now? Because a SMALL group has made it their mission to take away something from the neighborhood and community. Please don't be a party to this!	8/2/2017 8:14 AM
131	keep paper streets - keep trails	8/2/2017 7:42 AM
132	DON'T TAKE ANYMORE ACCESS AWAY. IF THE WEATHY PEOPLE MOVING IN HERE DO NOT LIKE IT THEN LEAVE	8/2/2017 7:04 AM
133	see above	8/1/2017 8:40 PM
134	Keep paper streets and publicize their locations so that people may use them. Build trails when possible.	8/1/2017 8:11 PM
135	A public boat ramp, consider paving the current public access by Kettle	8/1/2017 7:53 PM
136	Preserve it and don't allow development to take it away	8/1/2017 7:14 PM
137	It would be nice to have access to Peables Cove - used to be welcome there for walking - now posted unfriendly signs and former pathways are blocked.	8/1/2017 6:41 PM
138	More information could be written about them in local publications - town website, currier	8/1/2017 5:02 PM
139	By keeping it open to everyone who lives in out town. NOT just the few who can afford to live on it. I am a 30 year resident who has volunteered countless hours at the shcool and thru sports. My children are all grown and my husband and I have chosen to stay here in large part because of our access to the shore	8/1/2017 2:43 PM
140	Keep what is here open to residents. Maybe add a garbage can at each?	8/1/2017 1:44 PM
141	See answers to Survey question #10	8/1/2017 8:15 AM
142	Use all existing access points, particularly paper streets	8/1/2017 6:52 AM
143	please keep availability open & continued improvements.	8/1/2017 5:15 AM
144	Provide/retain public access to Surfside Ave. The only reason I couldn't include it in question 8 is access has been wrongly denied.	7/31/2017 9:10 PM
145	The first way is to not take away what little there is. Peabbles Cove road access use to be nice for bike through and it was taken away. We use to walk up Deer Run road to Jordan's pond and the Jordan's now have no trespassing signs	7/31/2017 7:25 PM
146	Keep the access we have!	7/31/2017 6:36 PM
147	Keep roads to land trust properties and shore views open	7/31/2017 5:34 PM
148	Protect public access	7/31/2017 8:16 AM
149	Keep town rights to paper roads & make trails	7/31/2017 6:40 AM
150	Keep the paper street of Surfside Ave.	7/30/2017 7:40 PM
151	Make decisions with the entire community in mind, not just a few homeowners	7/30/2017 3:51 PM
152	Please keep the Shore Acres paper streets public!! Such a treasure!!	7/30/2017 10:12 AM

153	move Crescent boat ramp to other side of maintenance facility: very dangerous currently with auto and pedestrian traffic, much too steep. See my email to Robert Malley of 4/4/2016	7/30/2017 8:19 AM
154	Ask shore property owners to grant some public access	7/29/2017 7:02 PM
155	Use paper streets near to shore to allow trail access	7/29/2017 6:07 PM
156	Maintain what exists and open up new opportunities	7/29/2017 5:58 PM
157	access map with any amenities, boat launching, etc. for residents	7/29/2017 4:54 PM
158	Improve current paths. Lead walking tours. Keep poison ivy down. Plant native plants to help bees and butterflies.	7/29/2017 4:46 PM
159	Don't give wealthy landowners the private water access.	7/29/2017 2:18 PM
160	There is a lot of great places that have imited access. That overwhelms the areas that are public. If we lock down some of the above mentioned areas it is going ultimately challenge natural resources for other generations. Keep in mind this was done to dog owners at robinsons woods and now the other open spaces are seeing challenges.	7/29/2017 2:05 PM
161	Don't cut them off from resudents	7/29/2017 12:24 PM
162	make a trail linking two light's road with dyer coveso we do not have to walk or bike the dangerous section of two light's road at the end of hannaforde cove road	7/29/2017 12:13 PM
163	Set up posted rules "only for residents" on paper streets	7/29/2017 10:15 AM
164	please keep the access that we have and find ways to increase access through paper streets	7/29/2017 8:56 AM
165	Maintain Town ownership of paper streets and increase access at these locations. Work with CELT to protect undeveloped coastal land and provide public access.	7/29/2017 7:45 AM
166	More parking for locals	7/29/2017 7:04 AM
167	parking at many of the areas listed above are limited. Improving parking will improve access.	7/29/2017 5:36 AM
168	Could use better access on the spurwink	7/28/2017 8:35 PM
169	Provide a functional public boat launch	7/28/2017 6:49 PM
170	I was unaware of some of these public access points until receiving this survey. So making residents aware of public access would be helpful.	7/28/2017 4:56 PM
171	Please, please, please put trash cans in Fort Williams. People who visit from other towns often do NOT "carry out." I see the ranger driving around picking up trash from the ground - how efficient is that? Trash cans would be used if they were present.	7/28/2017 2:50 PM
172	Do not change or give away paper streets and right of ways.	7/28/2017 2:26 PM
173	More access points and prevent folks from blocking right of ways	7/28/2017 2:12 PM
174	Don't get bullied by wealthy landowners.	7/28/2017 2:10 PM
175	Not allow private ownership	7/28/2017 1:59 PM
176	By improving all of the above and not allowing individual developers and a few landowners to take away current right-of-ways.	7/28/2017 12:28 PM
177	Make sure shore owners know where their property line ends. High tide mark?	7/28/2017 11:08 AM
178	By providing more public information about the public access points and how to make use of them. If all those points mentioned above are public I have not known about most of them and have lived here for 25 years.	7/28/2017 10:53 AM
179	Provide/maintain access by paper streets and the shoreline trail plan.	7/28/2017 10:14 AM
180	More right of ways access past private properties	7/28/2017 10:06 AM
181	By not giving up town rights to paper streets and permanentlydecreasing the access	7/28/2017 9:19 AM
182	Please retain fishing and hunting access where currently legal! I use and appreciate it greatly, and remove trash on my way back out to show the land respect and my gratitude. I know others who do as well.	7/28/2017 9:17 AM
183	Increasing the access points would be beneficial	7/28/2017 9:12 AM
184	By not allowing property owners to restrict access	7/28/2017 8:22 AM



185	Visible signs permitting residents access	7/28/2017 8:12 AM
186	I think it's prettt good; however, I am very concerned about the dramatic rise in the number of people accessing Cliff House beach in the summer. It's tiny and I don't think any changes should be made. I realize it's public, but adding parking and a restroom would be an absolute disaster!!!	7/28/2017 8:07 AM
187	More parking would be nice	7/28/2017 6:47 AM
188	Town should own and control all paper streets and allow access to them. No restrictions should be allowed to access the ocean unless Specifically deeded and homeowner pays higher taxes for oceanfront property.	7/28/2017 5:35 AM
189	More public access (moorings, parks, rest rooms, parking)	7/27/2017 8:44 PM
190	Make more access to the public	7/27/2017 8:19 PM
191	More green trails and cliff walks	7/27/2017 7:52 PM
192	Information. Where are the various access points? I only know Kettle Cove and Crescent.	7/27/2017 6:36 PM
193	Retain 20 year policy now in place	7/27/2017 5:13 PM
194	Not necessary to improve, just to continue allowing residents access. Please don't let people wall off the shore.	7/27/2017 3:35 PM
195	The town should not give the paper street to the home owners in the Shore Acres. That belongs to the town and should stay that way.	7/27/2017 2:34 PM
196	You have done an incredibly great job to this point without encroaching on private property rights. Keep it up!	7/27/2017 1:08 PM
197	The town does a fine job re access.....no recommendations necessary	7/27/2017 12:41 PM
198	Utilize the paper streets in Shore Acres	7/27/2017 12:19 PM
199	Maintain the paper roads and allow access	7/27/2017 11:14 AM
200	Do not give away the paper streets!	7/27/2017 10:09 AM
201	do not give away the paper streets to a few	7/27/2017 9:48 AM
202	The town should have a community boating program with public access to sailing and paddle sport lessons/rentals. I grew up in Hingham, MA with such a program and it was invaluable for teaching me many life lessons in self-reliance, self-confidence, appreciation of nature/marine resources as well as building friendships and mentoring bonds. I was lucky enough to have a job after college directing the sailing program at UMass Boston where we taught students and local Dorchester community members sailing in Boston harbor and it was a rewarding experience to share my love and knowledge of boating with others. Such a program based out of existing facilities at Crescent Beach or Kettle Cove could be the start of a new chapter in Cape history and help teach a new generation of boaters, sailors, scientists, and athletes - you name it.	7/27/2017 9:27 AM
203	Please please keep Surfside rd as public access!	7/27/2017 7:48 AM
204	More access points and fewer tourists. Can that be done simultaneously?	7/26/2017 8:13 PM
205	By not giving up any current rights to public land. Also, work with the land trust and conservation committee. Consider tacking on a fee to real estate purchases for land acquisitions like Martha's Vineyard, It has been very successful	7/26/2017 7:49 PM
206	publish access points and how they can best be accessed	7/26/2017 3:53 PM
207	It is not always clear where the public is allowed to be. It often feels like areas on the shore are exclusive to homeowners. Clear signage indicating that public access is allowed would be helpful and welcoming.	7/26/2017 2:18 PM
208	Better trails and access.	7/26/2017 1:52 PM
209	Accept the paper steets Surfside Ave and Atlantic Place and create trails!	7/26/2017 12:20 PM
210	repair stairs at Cliff House beach, improve access w/improved trails and parking	7/26/2017 11:55 AM
211	Maintain those quiet access points only known to residents	7/26/2017 10:28 AM
212	More trail access for walking, bicycles, but not autos	7/26/2017 9:57 AM
213	MThere is no need for any more access points, except for boat launching.	7/26/2017 6:51 AM



214	More parking at Kettle Cove. Possibly the grassy area behind the parking lot.	7/25/2017 9:54 PM
215	I think it's perfect. We are so fortunate. We have ample access. Trying to obtain further access by creating contention with members of our community only hurts our sense of community. Let's be grateful for all that we have and eork to improve/ maintain the existing.	7/25/2017 8:52 PM
216	More parking	7/25/2017 8:43 PM
217	preserve our rights to paper roads that provide access	7/25/2017 8:31 PM
218	I think the Town is doing an excellent job creating a delicate balance between public and private access to the shore and waters. I have always felt welcomed to explore the many beautiful areas of shoreline in Cape. I feel lucky to live here. Thank you!	7/25/2017 6:37 PM
219	More information on the website about what public access is available and ensure parking is available where ever there is pubic access. Also need to improve the safety of the steps down to Cliff Beach. Could use a turnaround point at Cliff Beach so we don't have to do a 4 point turn to get out again.	7/25/2017 6:07 PM
220	Smal sign like a green G	7/25/2017 4:47 PM
221	Don't vacate the Town's rights to continue to develop trails and access to the shore. Do the opposite...work to develop these access points and support the shore community spirit that we have in Cape.	7/25/2017 4:02 PM
222	Trails, parking, bike parking	7/25/2017 4:01 PM
223	Access is overall so limited to the public it is critical to continue to support it for the future.	7/25/2017 3:44 PM
224	More parking at Kettle Cove	7/25/2017 2:49 PM
225	First - Keep what access there is - DO NOT give it away. Then, whatever shore line can be added, through the land trust or other means, should be added.	7/25/2017 2:41 PM
226	They are great as they are no changes, no more access.	7/25/2017 2:20 PM
227	Keep the ESTABLISHED legal access points open, don't develop the paths over rocks. It'll be a nightmare!	7/25/2017 1:46 PM
228	At least, don't give up any Town rights!	7/25/2017 12:55 PM
229	Clarify boundaries between public and private land	7/25/2017 10:22 AM
230	Access is good where there are parks... but there are few access points elsewhere which are clearly marked as open to the public.	7/25/2017 7:34 AM
231	Acquire public access points for public use	7/24/2017 6:23 PM
232	More access	7/24/2017 1:01 PM
233	THE TOWN COUNCIL SHOULD NOT VACATE THE SURFSIDE PAPER STREET	7/24/2017 8:29 AM
234	Purchase shore land with CELT to permanently preserve public access.If only the towns owns the land, then it is not permanently conserved.Remember that Fort Williams is NOT permanently conserved. It is 4 council votes away from being sold at some point in the future.	7/23/2017 7:05 PM
235	Improved access and awareness of shoreline points that are 'walk-in' only and improve trails to access those points.	7/22/2017 8:57 AM
236	Protect the current access and do not allow privatization	7/20/2017 5:16 AM
237	Do NOT give up rights to paper trails- in particular surfside ave, broad cove, trundle point. Make these available to the cape Elizabeth residents	7/20/2017 5:05 AM
238	Do not give in to the special interests of a few. Past practice should guide decisions on shore access.	7/19/2017 8:39 AM
239	by keeping it public!	7/18/2017 5:30 PM
240	There are no beaches in Cape E where you can play with your dog on the beach in the summer. (With exception of Cliff House Beach, but my dog cannot negotiate the steps) Would love to have a more dog friendly beach access.	7/18/2017 11:42 AM
241	Do not abandon the paper streets at Surfside Avenue and Atlantic Place. Also honor all the deeds that give the property owners of Shore Acres/Trundy Point- deeded rights to those paper streets. We have deeded rights on our property at 22 Trundy Road.	7/17/2017 10:26 AM

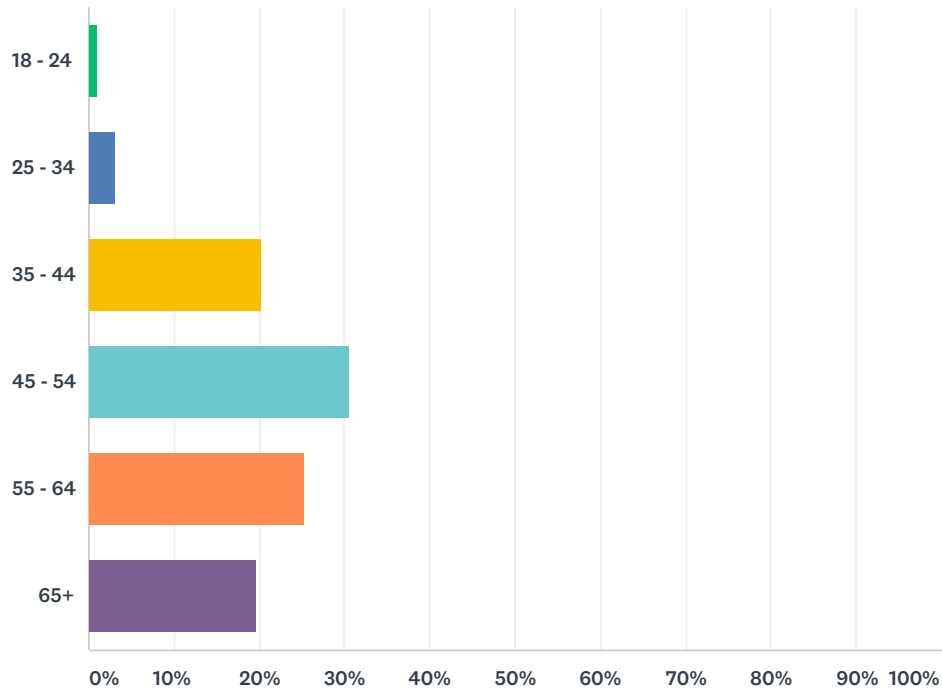
242	Maintain control of paper streets. Develop the greenbelt. Honor the wishes and legacy of the Cape founders and past councilors by increasing public access, not reducing it.	7/17/2017 10:25 AM
243	Keep control of "paper streets"	7/17/2017 8:55 AM
244	Establish trails/access on lands the Town already owns	7/17/2017 8:20 AM
245	I agree we do not need to create more parking for visitors, but why not allow visitors to walk and around our town and enjoy the beauty of this land. I do not see the harm in it	7/17/2017 7:22 AM
246	accept Surfside Avenue/Atlantic Place paper street to preserve it forever.	7/16/2017 11:48 PM
247	Ensure access	7/16/2017 3:12 PM
248	More right-of-ways	7/15/2017 9:16 PM
249	A greenbelt from Fort William to Two lights LONG THE SHORE	7/15/2017 2:36 PM
250	Do not limit the access to those who live by the shore. Access should be given to all homeowners or Cape Elizabeth residents.	7/15/2017 2:21 PM
251	Build a proper boat launch, keep all access free.	7/15/2017 12:47 PM
252	Make it easier for boats and mooring	7/15/2017 12:05 PM
253	Have the green belt trail on surf site. Allow recreational boats to launch from boat ramp at kettle cove not just the beach	7/14/2017 10:02 PM
254	The three choices above	7/14/2017 9:54 AM
255	Ensuring permanent access.	7/14/2017 7:44 AM
256	Retain Surfside Avenue	7/14/2017 7:43 AM
257	charge entry at Kettle Cove and Ft Williams for non residents	7/14/2017 7:19 AM
258	Keep the paper streets.	7/13/2017 9:48 PM
259	Clarity re: these points - open/closed, restrooms if avail., fee if charged...	7/13/2017 9:41 PM
260	Increase access points	7/13/2017 9:01 PM
261	Better access and clearly marked trail through shore acre pathways for walking and running	7/13/2017 7:24 PM
262	Maintain the paper streets and preserve public access along these paths	7/13/2017 7:01 PM
263	Make sure the townspeople and homeowners alike have a CLEAR understanding of what is public and what is private.	7/13/2017 4:20 PM
264	Make public access a priority when making decisions about future planning of Cape Elizabeth	7/13/2017 1:55 PM
265	More access points, and maybe a Green Belt Shore Path along all of Cape Elizabeth?	7/13/2017 1:53 PM
266	Do not vacate surf side. The town trips over itself to assist and placate those that have money and power. They pay little if any attention to the needs of those who are not wealthy.	7/13/2017 1:20 PM
267	Don't vacate Surfside and Atlantic Place	7/13/2017 1:00 PM
268	Sidewalks	7/13/2017 12:06 PM
269	Keep what we have!	7/13/2017 11:21 AM
270	Trail systems and access points for foot traffic only; parking should remain at high traffic areas (fort wms, town hall, etc)	7/13/2017 9:54 AM
271	Expand the Greenbelt Trail to include Surfside and Atlantic Place. Please and thank you.	7/13/2017 8:50 AM
272	Having more access points to the water would be helpful	7/13/2017 8:42 AM
273	More access points	7/13/2017 8:42 AM
274	Surfside Ave. is a PRIVATE road...not public.	7/13/2017 8:31 AM
275	Make access points more visible. Provide maps for local residents. I am always unsure and nervous about what is the right spot to enter	7/13/2017 8:15 AM
276	By allowing trails to be built, as outlined.	7/13/2017 7:55 AM
277	Extend the Greenbelt Trail to include Surfside Avenue and Atlantic Place.	7/13/2017 7:08 AM

278	Surfside Ave is not a public road. It is private. It should not be part of this survey.	7/13/2017 6:49 AM
279	We hav all that we need. We are fortunate	7/13/2017 6:45 AM
280	I think it's fine as it is	7/13/2017 5:42 AM
281	Stop people from restricting access	7/13/2017 5:30 AM
282	More kayak and canoe storage	7/13/2017 5:20 AM
283	Keep access to waterways.	7/13/2017 12:47 AM
284	See # 10	7/12/2017 10:40 PM
285	Safety. Accurate maps and signage. Well marked and accessible trail system.	7/12/2017 10:25 PM
286	Mooring availability	7/12/2017 9:47 PM
287	I'd love to be able to reliably drive to an access point, park, and enjoy the beach or launch my kayak. It often is more difficult than it should be for those of us that don't live close enough to the ocean.	7/12/2017 9:35 PM
288	Feel we have amazing access already	7/12/2017 8:27 PM
289	A public marina facility? Some sort of dock? More resident parking (require stickers) for beach parking. Resident fees that are less at Crescent Beach for residents.	7/12/2017 8:22 PM
290	To keep paths public	7/12/2017 8:20 PM
291	I think water access is being overrun by people from outside cape Elizabeth. I think cape is generous with its shoreline at Fort Williams and kettle cove. We have two great state beaches. I think parking at streets with access points to small neighborhood beaches should be restricted to cape Elizabeth residents.	7/12/2017 8:19 PM
292	Parking near more of the access points	7/12/2017 8:08 PM
293	Add more walking paths	7/12/2017 7:23 PM
294	Land trust and town trails	7/12/2017 7:06 PM
295	Please protect and accept paper streets that access the shore and do not vacate them. These are intrinsically valuable and important Town resources that should not be diminished in any way. Add them to the Greenbelt plan.	7/12/2017 7:05 PM
296	Provide local residents with access points and trails along the shores and ponds	7/12/2017 6:29 PM
297	More trails	7/12/2017 6:26 PM
298	Maintain and build better trails along the shoreline. Support access for all town residents not just rich recent residents.	7/12/2017 6:16 PM
299	More awareness of public access points.	7/12/2017 6:12 PM
300	The town should pay better attention to the hard work of the Conservation Committee and honor that work and the very robust input from their citizens.	7/12/2017 5:29 PM
301	leave it alone. It will only attract more outsiders who LITTER! Check Fort Williams if you doubt that and will make more TRAFFIC HEADACHES!	7/12/2017 5:11 PM
302	Go back to the old access to creasent beach . The one we use now is too steep and gets washed out with storms	7/12/2017 4:57 PM
303	do NOT vacate paper streets on surfside ave., atlantic place, or two lightsor	7/12/2017 4:53 PM
304	conserve the Surfside path and improve the trail its full length	7/12/2017 4:38 PM
305	Stairs to Cliff House Beach need to be repaired.	7/12/2017 4:33 PM
306	Fix and improve the stairs and handrail at Cliff House Beach	7/12/2017 4:28 PM
307	Give more access to the public	7/12/2017 4:02 PM
308	The Town should formally "accept" its incipient rights to the Surfside/Atlantic place to protect this valuable Town asset and to ensure access for all current and future Cape generations.	7/12/2017 3:18 PM
309	Do not vacate the Surf Side Paper Street.	7/12/2017 2:55 PM
310	Do not vacate Surfside Avenue and Atlantic Place in Shore Acres. Built a Greenbelt trail on those streets. Allow residents to launch and retrieve their boats at Kettle Cove.	7/12/2017 2:37 PM

311	Keep and maintain existing access without letting special wealthy private interests take it from the citizens.	7/12/2017 2:24 PM
312	Keep the current access point open and publicize them. There were several locations listed that I assumed were private.	7/12/2017 2:22 PM
313	Leave it alone.	7/12/2017 1:36 PM
314	---	7/12/2017 1:27 PM
315	Accept Surfside Avenue and Atlantic Place paper streets for all to enjoy. The Town has a responsibility to protect & preserve these rights on behalf of all people in Cape, and not just for the few who abut it. These are extremely valuable Town Assets and the public deserves to enjoy them forevermore.	7/12/2017 1:24 PM
316	Plan for potential future access oportities such as Two Lights Cosat Guard property and available paper streets.	7/12/2017 11:12 AM

## Q12 Please tell us a little about yourself - Age

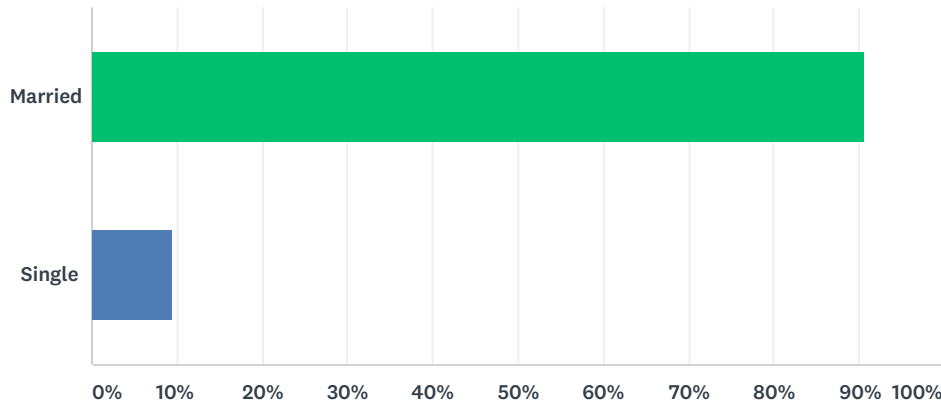
Answered: 492 Skipped: 5



ANSWER CHOICES	RESPONSES
18 - 24	1.02% 5
25 - 34	3.05% 15
35 - 44	20.33% 100
45 - 54	30.49% 150
55 - 64	25.41% 125
65+	19.72% 97
TOTAL	492

### Q13 Please tell us a little about yourself - Marital Status

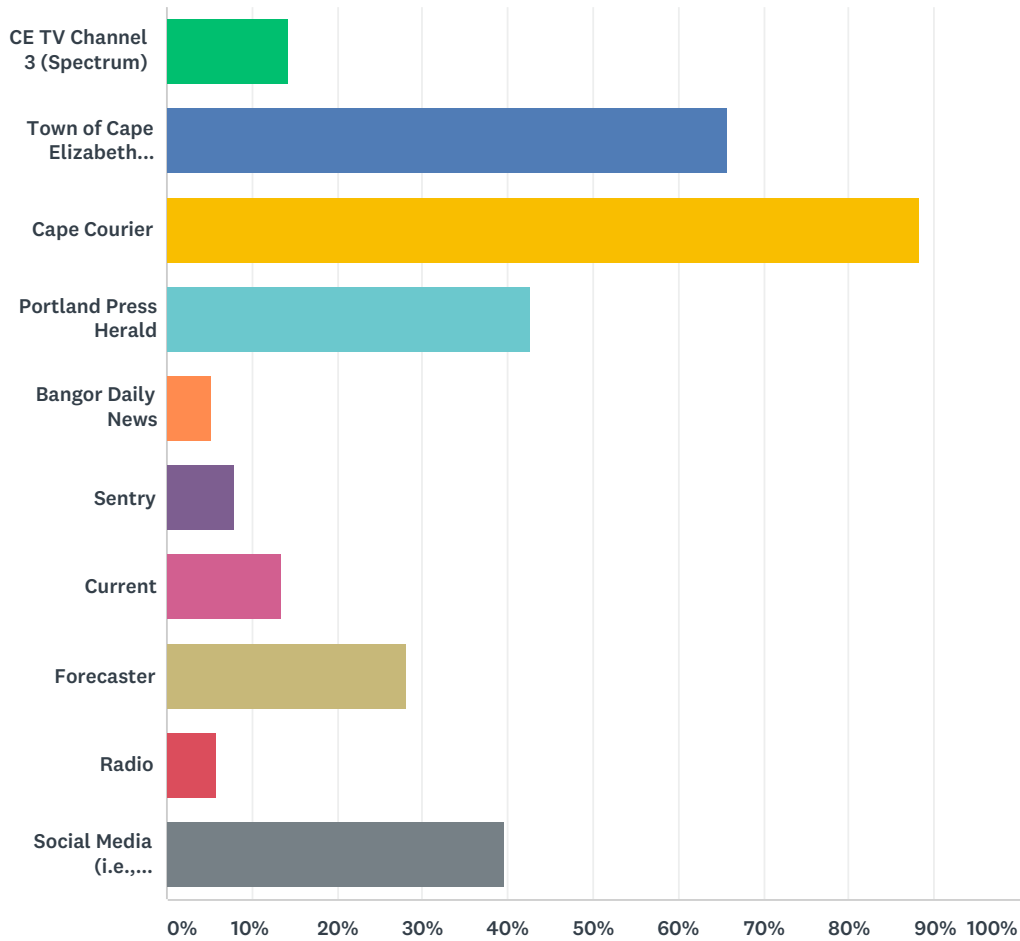
Answered: 479 Skipped: 18



ANSWER CHOICES	RESPONSES
Married	90.61% 434
Single	9.39% 45
TOTAL	479

### Q14 How do you find out about Town Government, activities and news? (check all that apply)

Answered: 492 Skipped: 5



ANSWER CHOICES	RESPONSES	
CE TV Channel 3 (Spectrum)	14.23%	70
Town of Cape Elizabeth website	65.65%	323
Cape Courier	88.21%	434
Portland Press Herald	42.68%	210
Bangor Daily News	5.28%	26
Sentry	7.93%	39
Current	13.41%	66
Forecaster	28.05%	138
Radio	5.89%	29
Social Media (i.e., Facebook, Twitter, Instagram, Snapchat, etc.)	39.63%	195
Total Respondents: 492		

## Q15 Thank You. You can received updates on the Harbors Committee's work at the Town website -

[http://www.capeelizabeth.com/government/bds\\_commissions/ad\\_hoc/harbors/home.html](http://www.capeelizabeth.com/government/bds_commissions/ad_hoc/harbors/home.html)The public is also welcome to attend the meetings of the Harbors Committee to share public comments or email public comments to the Committee at [sharding@sebagotech.com](mailto:sharding@sebagotech.com).

Answered: 37 Skipped: 460

#	RESPONSES	DATE
1	Edpfueller@gmail.com	9/17/2017 1:16 PM
2	I think it would be wrong to have a trail which intrudes upon the privacy in a major way of several residences in Shore Acres. It seems very un-neighborly of some residents to want to have a virtually unused pathway become a major thoroughfare for the public from far and wide. This is very different from having a few neighbors walk there on occasion. I have been reading about this in the Courier and am so disappointed in the aggressive demands of seemingly a few people to markedly reduce the privacy and security of their neighbors! Where has our Cape Elizabeth courtesy and feeling of FairPlay gone? Tax them on the land and allow them the privacy in their own backyards that all of us would value! Do unto others...! Frances Haywood	9/15/2017 1:17 PM
3	thank you for taking this on...it is essential!	9/14/2017 9:44 AM
4	Strongly object to Surfside Avenue, a privately owned street, being included in this survey. Where is Casino Beach if Surfside is included?? Surfside is NOT town owned and does not belong here.	9/13/2017 6:21 PM
5	We have lived on Seaview Avenue for nearly 40 years and access by non residents and dog use has increased exponentially. This has been most distressing to use with car traffic, trash, dog waste, nightly parties, bonfires, drinking and even hypodermic syringes on the beach.	9/13/2017 6:05 PM
6	Leave Shore Acres Alone!!!	9/7/2017 9:45 AM
7	there is already enough access points to get to the ocean than Shore Acres. They are all easier to get to and provide Parking!	9/6/2017 3:21 PM
8	Thanks, Dave Scheffler Dave.scheffler@nemoves.com	8/31/2017 2:26 PM
9	I am not sure this is related, but I think there are a lot of access points. The issue at Shore Acres needs to be resolved b/c it is negatively affecting the reputation of that neighborhood and our town at large.	8/18/2017 11:07 AM
10	Cape Rules Yo! Shoreline!	8/18/2017 10:59 AM
11	Thank You for volunteering your time.	8/17/2017 10:53 AM
12	Harbor comm,was a good idea ,especially with Park management included'	8/16/2017 3:53 PM
13	This is critical. Beaches and access should never be owned by home owners...it must be accessible to all residents to enjoy its beauty	8/14/2017 7:40 AM
14	The unscheduled and unannounced action of the town council to begin vacating the paper street in Shore Acres was unconscionable. I have thoroughly enjoyed living and raising my family in Cape Elizabeth over the last 23 years.The Town Council's furtive vote on this matter made me question the honesty and integrity of the Town Council for the first time.	8/13/2017 10:52 AM
15	Please keep current access point to shore available to residents. This is the single most important reason for living in cape. Question 8 was unfair as there were several that are equally enjoyable!	8/13/2017 10:07 AM
16	Access is excellent to reasonably good where access point/areas are well marked and well known. It is often poor at points/areas that are less well known and well marked. Measures of interest and or popularity are in part a measure of this discrepancy in visibility. All public coastal access is precious.	8/10/2017 7:06 AM
17	Please don't start the process of limiting existing access. It is one of the reasons we love this area.	8/9/2017 6:31 AM



18	Thank you for this opportunity to share strongly that the shore line is Cape Eiliabeth's most valued asset. Do not let it go. Thank you	8/9/2017 5:45 AM
19	I so hope the town does the RIGHT thing (do NOT vacate Surfside Ave / Atlantic Place) and realizes that this is a special COMMUNITY of many wonderful people who respect the rights of others but abhor catering to special interests. Please do not be a party to that. These have been paper streets since the inception of the neighborhood. The recent motion to begin the process to vacate looks SO bad.....rise above a few special interests and remember that this is about representing the ENTIRE community....please listen to us who are so demoralized that this could happen in a town we love.	8/2/2017 8:14 AM
20	Thank you for the work being done by this committee.	7/30/2017 7:40 PM
21	Stop the town council from voting against the taxes payers of cape Elizabeth. stop town councilors Jordans ,Lennon,greannon.	7/29/2017 10:15 AM
22	I will have to miss the August 14 meeting, but will submit written comments.	7/28/2017 9:19 AM
23	Why does marital status matter at all in this survey?	7/28/2017 8:15 AM
24	I do not believe that just because someone has an expensive home they should be allowed to put up a private sign on paper streets to dissuade people from accessing land for which the homeowner does not pay an elevated tax. Paper streets belong to the town and should be for all to enjoy!!!	7/28/2017 5:35 AM
25	I am quite alarmed & outraged as to how the issue with the paper streets was dragonfly handled. this is just not acceptable! Joe McHugh.	7/27/2017 10:09 AM
26	Just in it for the money and to find as the sponsor wants.	7/25/2017 8:10 PM
27	Any further shoreline access development must protect adjoining landowners, and monitor/control public behavior to minimize conflict. The public often doesn't treat public property with respect, and feels entitled to trespass on adjacent private property "just to take a photo". This is the root cause of landowner objections to public access.	7/25/2017 10:22 AM
28	I think you have to balance access with conservation of sensitive areas important to wildlife (esp along Spurwink River).	7/25/2017 7:34 AM
29	Thank you for the opportunity to provide an opinion. It is with great regret that I learned that after the town hall decided to extend the paper trail on Surfside for 20 years last November that most recently they are planning to give up this access for the four or five homes that are there. Worse, they are not year rounders! They moved here knowing that the road is for the public. This is extremely disappointing and the decision for us to remain here is contingent on this trend of privatization of the shoreline. This is against the culture of the community that drew us here. It's (access to shoreline) is also a very Special place about living here.	7/20/2017 5:05 AM
30	Age and marital status questions above are NOT appropriate!	7/19/2017 9:34 AM
31	Thank you for your service.	7/14/2017 10:02 PM
32	Thank you for working on this important issue.	7/14/2017 7:44 AM
33	Thank you for all of your time you spend on these matters! You are very generous to do so, and I want you to know it is appreciated!	7/13/2017 1:53 PM
34	Survey completed by Dr. Ann Barksdale 8 Algonquin Road	7/12/2017 6:29 PM
35	I strongly oppose a vote to vacate Surfside Avenue and Atlantic Place paper streets. For the few with special interests, to forever close the door on public access to Surfside Avenue and Atlantic Place, and to do so without proper due process, and without disclosing all to the public is a travesty.	7/12/2017 2:39 PM
36	On Monday night 7/10/17, the Cape Elizabeth Town Council voted against the advice of its own Conservation Commission to retain the Town's rights of access to the shoreline via Surfside Avenue and Atlantic Place in favor of relinquishing these irreplaceable rights to few wealthy families, with no strings attached. Without any notice to property owners or any other citizens of the Town, the Town Council voted 4 to 3 to start the process of giving away their rights. The false and inaccurate statements made to justify its actions are breathtaking. This was clearly a well-prepared strategy by some members of the Council. I implore the citizen of Cape Elizabeth to contact the Town Council and demand that it stop its efforts to diminish YOUR rights to shore access.	7/12/2017 2:37 PM
37	It seems Cape could work out commercial and public boat launch access at Kettle cove.	7/12/2017 11:12 AM

# Attachment D

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## Correspondence

- October 16, 2016 Letter from Dr. Martha Friberg re: Outhauls
- December 16, 2016 Letter from Michael McGovern re: a request for State Coordination with Kettle Cove Access Relocation Issues
- January 9, 2017 response letter from State of Maine's Tom Desjardin re: State Coordination with Kettle Cove Access Relocation
- March 1, 2017 Email from Jim Huebener re: Kettle Cove Historical Information
- March 27, 2017 Email from Ilya Fleischman re: Kettle Cove Area Improvements
  - May 7, 2017 Email from Ilya Fleischman re: Kettle Cove Area Issues
  - July 31, 2017 Email from Chuck Redman re: Kettle Cove Area Issues
  - July 31, 2017 Email from Ilya Fleischman re: Crescent Beach Usage
  - August 1, 2017 Email from Jerry Kneller re: Paper Streets
- September 26, 2017 Email from Ilya Fleischman, Chuck Redman, and Royal Craig re: Crescent Beach and Kettle Cove Area Issues
- September 28, 2017 Letter from Town Manager Matthew Sturgis to Ron Hunt of the State of Maine Bureau of Parks and Land re: a cooperative State/Local agreement on Kettle Cove issues
  - January 21, 2018 Email from Jim Morra re: Kettle Cove Area Suggestions
- February 18, 2018 Letter from Police Chief Williams re: Harbormaster Position
  - February 21, 2018 letter from Anne Carney re: Kettle Cove Area Issues
- April 25, 2018 letter from Harbormaster Ian Anderson re: Kettle Cove Issues

October 21, 2016

To: ad hoc harbors committee

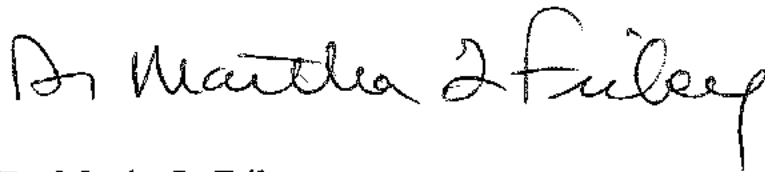
Re: out-hauls

**Definition:** An out-haul is two lines connected from a stationary pole on land above the high water mark to a frame floating in the water and anchored to the ocean floor. A boat is tied to one of the lines and, like a laundry line, can be pulled in from the frame or "moored" to the frame when the boat is not being used.

**Problem:** The lines are obstructive on the beach and unsightly when seaweed is hanging on the lines. The frame and boat are a hazard to navigation and they obstruct a small cove. The lines are not visible at night and constitute another hazard. The frames are sometimes partially submerged and nothing marks their location. They restrict swimming areas in small coves and unfairly restrict the use of a cove. It is especially difficult for people with dinghies to get to their moorings around the lines at low tide when the cove is taken up with their lines.

**Request:** As a Maine Tidewater guide, charter captain, life-long resident of Cape Elizabeth and owner of many boats and previous moorings, I would recommend the committee eliminate the use of out-hauls so more people can enjoy safe access to our beaches and water.

Respectfully submitted,



Dr. Martha L. Friberg

P.O. Box 6304

Cape Elizabeth, Maine

Cc: Michael McGovern, Town Manager



PAUL R. LePAGE  
GOVERNOR

STATE OF MAINE  
DEPARTMENT OF AGRICULTURE, CONSERVATION & FORESTRY  
BUREAU OF PARKS & LANDS  
22 STATE HOUSE STATION  
AUGUSTA, MAINE 04333

WALTER E. WHITCOMB  
COMMISSIONER

January 9, 2017

Michael K. McGovern  
Town Manager  
P.O. Box 6260  
320 Ocean House Road  
Cape Elizabeth, ME 04107

Dear Mr. McGovern:

Thank you for your inquiry regarding watercraft access at Kettle Cove and Crescent Beach State Park.

I write to let you know that I have authorized Gary Best, our Acting Regional Manager, to work with your successor in creating a plan to address the access issue including the possibility of moving the ramp about 100 yards to the west.

Please let me know if I can be of any help in the process going forward.

Sincerely,

  
Tom Desjardin  
Director

THOMAS A. DESJARDIN, DIRECTOR  
BUREAU OF PARKS & LANDS  
18 ELKINS LANE, HARLOW BUILDING



PHONE: (207) 287-4961  
FAX: (207) 287-6170  
WWW.MAINE.GOV/DACF/

December 19, 2016

Thomas A. Desjardin, Director  
Bureau of Parks and Lands  
107 State House Station  
18 Elkins Lane (AMHI Campus)  
Augusta, ME 04333-0022

Re: Crescent Beach State Park Boat Access

Dear Mr. Desjardin,

Since the early 1960's when Crescent Beach State Park was developed, the Town of Cape Elizabeth and the Bureau of Parks and Lands (and its predecessors) have worked closely to ensure access for watercraft to Kettle Cove and Crescent Beach.

One access that has been especially helpful to recreational kayakers, small boaters and fishermen is a gravel ramp that extends from Kettle Cove Road on town property onto Crescent Beach. This ramp is steep, often washes out from tidal actions and is adjacent to a drainage swale which often limits access. We recently met with Acting Regional Manager Gary Best about the possibility of relocating this access point about 100 yards westerly to a location where there had been an access point for many years. Gary seemed amenable to the change and I then asked the Cape Elizabeth Town Council for authorization to begin a formal dialogue with the Bureau on the potential of relocating the access. The Town Council voted unanimously for me to write this letter.

I would appreciate if you would authorize your relevant personnel to continue the dialogue with the Town of Cape Elizabeth. While I am retiring at year end and my successor will not be named for a few weeks, I hope that you could respond to this letter in writing so that my successor will be aware of your interest.

Thank you and warm wishes for the holidays!

Sincerely yours,

Michael K. McGovern

## Steve Harding

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**From:** Steve Harding  
**Sent:** Wednesday, March 01, 2017 8:23 AM  
**To:** 16548  
**Subject:** FW: Kettle Cove information  
**Attachments:** Crescent Beach Information 2-14-2017.pdf; Kettle Cove.jpg

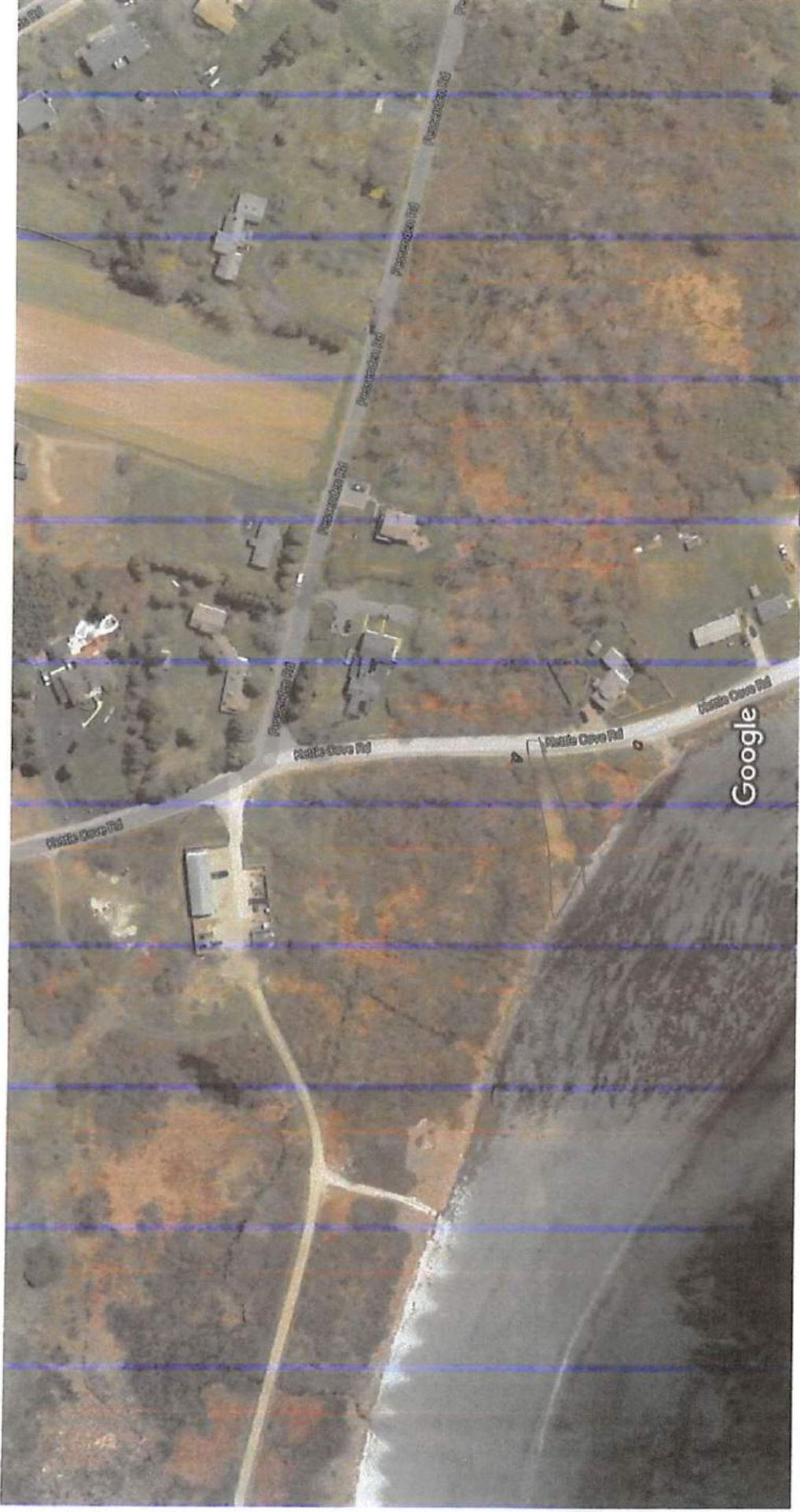
**From:** Jim Huebener [mailto:jhuebener56@gmail.com]  
**Sent:** Thursday, February 23, 2017 2:10 PM  
**To:** Steve Harding <sharding@sebagotechnics.com>  
**Cc:** Ben Perry <bperry1984@yahoo.com>; Craig Garland <deermasta.cg@gmail.com>; Dan Harriman <danharriman@hotmail.com>; Ed Perry <eoperry@hotmail.com>; Ernie & Sam Tweedie <etweedie@maine.rr.com>; Frank Strout <frankstrout@maine.rr.com>; Gary Cummings <barcumming@gmail.com>; Jodie Jordan <farmer@alewivesbrookfarm.com>; Larry Lydon <lelydon@maine.rr.com>; Nate Perry <nate8959@yahoo.com>; Paul Fischer <paulobstar@aol.com>; Stuart Jones <sjones9283@yahoo.com>; Tucker Jordan <tucker@mainelobsterboys.com>  
**Subject:** Kettle Cove information

Steve,

At last night's meeting of the Cape Fishermen's Alliance meeting, we felt it was important that you have some old photos and correspondence we obtained about Kettle Cove and Crescent Beach. They may be of use to the Harbor Commission.

--

Regards,  
Jim Huebener



February 13, 1959

Mr. James Baldwin, Treasurer  
The Sprague Corporation  
10 Post Office Square  
Boston, Massachusetts

Dear Mr. Baldwin:

We have been a little slow in submitting to you our tentative plans for the proposed state park development at Crescent Beach. As you probably know by now, the Governor in his balanced budget recommended that the Park Commission be allotted \$260,000 to acquire land at Crescent Beach.

After my conference with you I hired a reputable firm to do an appraisal, and as near as they could tell the figure that we were asking for should acquire the largest part, if not all, of the land in this proposed plan.

At our appropriations hearing Mr. Johnson and Mr. Cousins, who are selectmen, together with Mr. Beyer, appeared and opposed that part of our budget. That apparently has set off quite a bit of discussion in the Cape. Naturally, the first noise came from the opposition, as it always does. However, since then there has built up a very strong number in favor of the park. In fact, I hear that the members of the Legislature are being bombarded with telephone calls and letters in favor of the park and they seem to be stressing the point that the two selectmen and Mr. Beyer were prejudiced due to personal interests and did not speak for the people of the Cape as a whole. Mr. Philbrook, a third selectman, who is pretty much neutral on this matter, did not appear, perhaps due to his relationship with your company. Otherwise, I really think he would have pictured quite a different story. The points in the opposition were:

- (1) Estimated loss of \$6,000 in taxes;
- (2) Expensive road building by the town;
- (3) Expensive policing of the park;
- (4) Townspeople don't want traffic through their quiet town.



Of course, these reasons are not very sound because

- (1) A \$6,000 loss in taxes to a town the size of Cape Elizabeth is minute and would easily be offset by income to townspeople from park employment, concession, etc.;
- (2) The State Highway Commission tells us that the roads involved are scheduled for rebuilding in the near future anyway, and at that time will be designed for the maximum load, whether a park is built there or not;
- (3) These roads, when they are built, will be built by Federal and State funds and will be maintained by State funds and should be no extra cost to the town;
- (4) There is no question but that there will be some increase in traffic, but I do not believe it to be as serious as predicted.

I do not need to give you the arguments for a state park at Crescent Beach as we have discussed them and I feel that they far outweigh the local inconveniences.

By the end of this month the Appropriations Committee will have to decide on whether to allow us the \$260,000 recommended or not. If you feel that the plan that I am submitting is something which you could support, a letter at this time to the Chairman of the Appropriations Committee, Senator Norman R. Rogerson, Senate Chamber, State House, Augusta, Maine would be most helpful.

Referring to the enclosed plan, I have tried to carry out in principle the things we discussed in Boston. In general, this plan calls for:

- (1) The acquiring of title to about 165 acres that lie within the "red" area. This would give us about 5,400 feet of shoreline of which 3,800 is estimated to be usable beach. When developed fully we estimate it would take care of 350,000 visitors with provisions for day use only including tables, fireplaces, bath-houses, toilets, parking, etc.;
- (2) #A on the left hand side of the chart would be maintained as a buffer strip with trees, shrubs, fence, etc., the intent being to maintain this area in such a way that it would serve as a barrier for people from the adjoining property. The area just to the right of the "green" area would be available for use but would be designed for very limited use so as to make the barrier strip more effective;

- (3) Land owners at #B and #C who now have a right of way to the ocean will still be allowed to maintain that right without charge. This would mean the patrons of the hotel and the various home owners at #C;
- (4) The general plan of the park will be set up so that there will be no entrance fee to the park itself, but rather fees for parking cars, use of bathhouses and other facilities, etc.;
- (5) This will be strictly a day use park with no camping;
- (6) Since the present area of 165 acres is much smaller than that originally planned it is hoped that arrangements can be made with either Mr. Barlow or Mr. Sprague, or both, for use of some of the wooded land in the general area of #E which would be used only for nature trails and the enjoyment of wildlife, etc.;
- (7) I have indicated on the chart some facts about our proposed development at Two-Lights State Park, #D, with some of the data pertaining to facilities, etc. It is expected that this development will begin July 1959.

It is my opinion and that of the engineers that this is the best possible plan that we can support. It has made some allowances for those objections raised by some town officials, it has provided for the rights of fishermen and land owners with right of way to the beach in their leases, and I hope it has provided for the thoughts that were expressed by you folks on my recent trip to Boston. I don't want to press you more than is necessary but this whole program is at a most critical stage and if you could give this some study and find it has potential I would appreciate your conveying your sentiments to me. Please feel free to mark up the enclosed diagram and return it with your suggestions.

I know that you are concerned to some degree with how the people in the Cape feel about this. Probably Mr. Donald Philbrook, Jr., your attorney, can give you a fairly accurate picture. However, I feel sure that your support would be most appreciated by the people of greater Portland who are going to be the greatest users of this area. Needless to say, the State Park Commission would be appreciative of any gift of land which you might consider making to further this most worthy program.

I have talked this over with the members of the Commission and they unanimously agree that we should make every effort to acquire property at Crescent Beach with this legislature. However, they still feel that we must find some access to the ocean in that area and in all probability if Crescent Beach is turned down they will revive their interest in Scarborough Beach, which is not as well suited for a

Mr. James Baldwin

Page 4

February 13, 1959

state park as Crescent Beach but which could be fixed up to do part of the job.

Thank you for your consideration in this matter, and a reply prior to February 27th will be most appreciated.

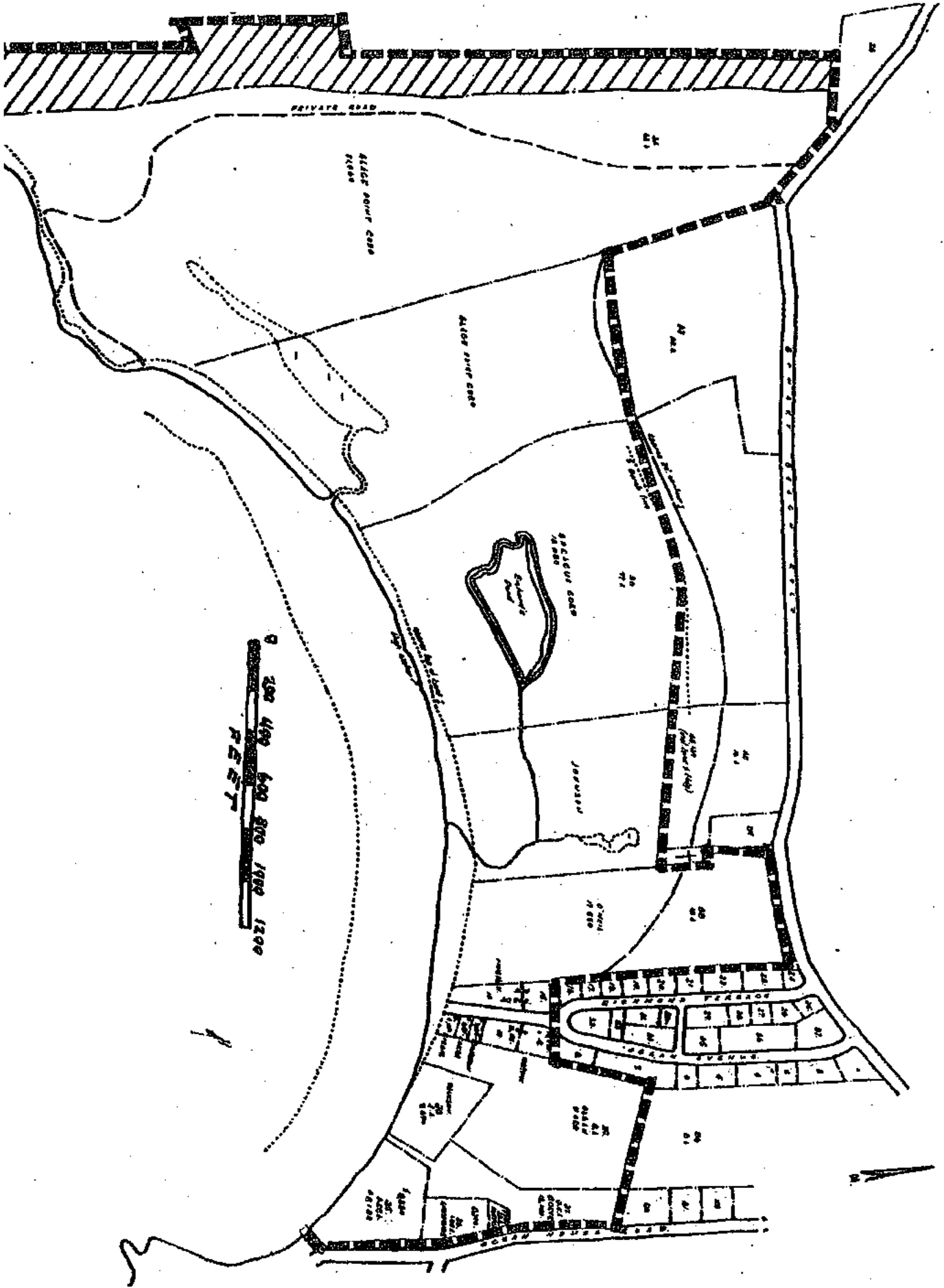
Sincerely yours,

Lawrence Stuart  
Director of State Parks

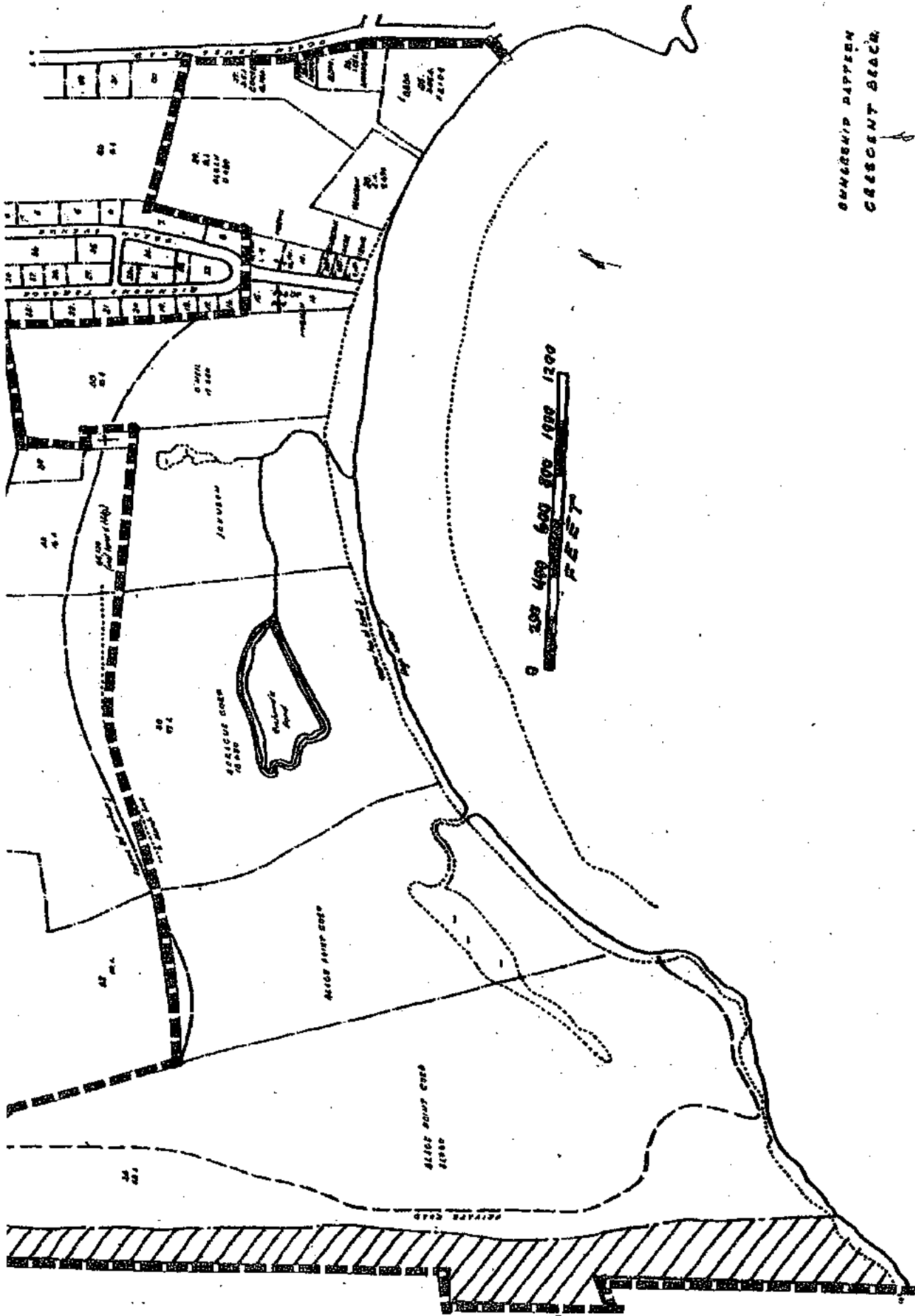
LS/am

Enc.

cc: Mr. Joel Barlow



PORTLAND (ME.) EVENING EXPRESS, FRIDAY, SEPTEMBER 25, 1959

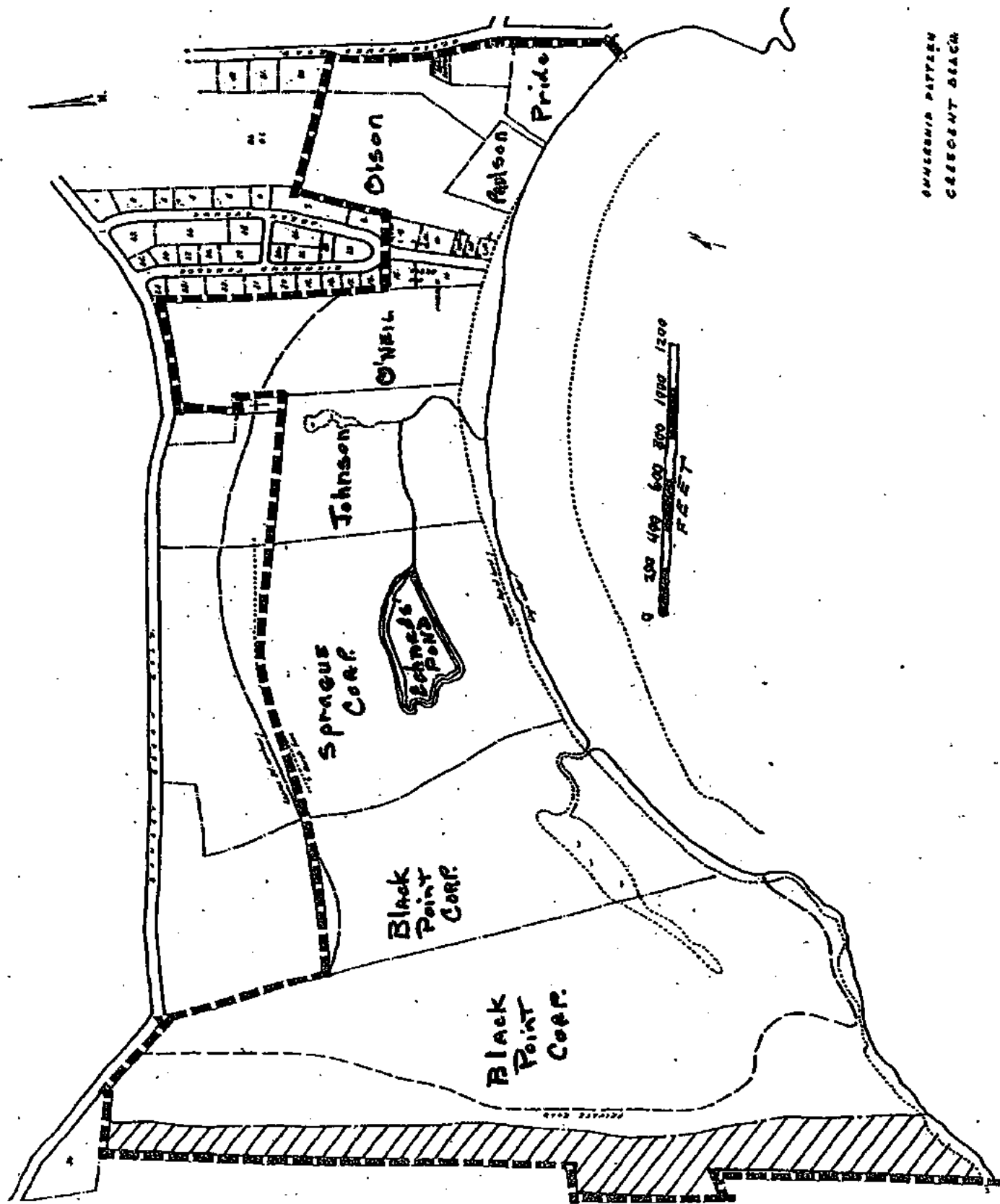


## Proposed Crescent Beach State Park

Here published for the first time are shown the tentative boundaries of Crescent Beach State Park, Cape Elizabeth. The 90th Legislature in its closing days appropriated \$280,000 for acquisition of the approximately 165 acres which will include

the day-use picnicking and beach area. The tract stretches for more than a mile along the magnificent strip of sand on Seal Cove, one of the last undeveloped beaches near a large population center in Maine. Average depth of the tract is about

a quarter of a mile and it touches Rte. 77, at top of the map, in two places. The cross-shadowed area to the west, or left, is a buffer strip between the future park and the estate of Joel Barlow, Washington lawyer.



UNIVERSITY PARK  
CRESCENT BEACH

Proposed Crescent Ranch State Park

# PORTLAND EVENING EXPRESS

Vol. 78—No. 195      Seven Cents      Last Edition—40 Pages  
Portland, Maine; Thursday, June 4, 1959

**The Weather:** Fair, Mild Tonight,  
Sunny, Warm Tomorrow  
(Full Report Page 2)

CAPE ELIZABETH—Play hooky one of these bright June days and go down to the sea.

You don't have to ship out. You don't even have to take your own boat, because your rendezvous with wide skies and salt water will be just an eight-mile drive from busy downtown Portland.

The place is Crescent Beach. This morning in Augusta the House of Representatives voted to include its acquisition cost in the budget. This means that there is a hope that the days are numbered for unsupervised bathing, for all-night beach parties and for the dumping of trash and used beer bottles which litterbugs always seem to smash so carefully before discarding.

DEVELOPMENT OF CRESCENT BEACH as a state park has been urged for years by the State Park Commission and has been approved by the State Bureau of Public Improvements.

This easy-to-reach spot is one of the few large sandy beaches on the otherwise rockbound coast of Maine that remains remarkably, virtually undeveloped, either publicly or privately.

Curving gently of Seal Cove, Cr high tide, for sun building of sand

At low tide hard sand left smooth playground fact which became Cape Elizabeth l except from 3 use cars to haul

SEAL COVE and wind are mammals can be in the swells or

The gradual safety for bathing the surf is high seldom heavy e

## Philbrick 'Sees' State Park At Cape

By JIM BROWN  
Assistant City Editor

The chairman of the Cape Elizabeth Board of Selectmen said today he thinks Crescent Beach will become a state park, "sooner or later."

Donald L. Philbrick did not give outright support to the park proposal. He said he sympathizes with the view of legislative economizers who have sought to slash park funds in order to avoid tax increases and because they do not believe in bond issues for "luxuries."

But Philbrick added that "if it's going to be done (creation of the new park), I'd like to see them go ahead now."

### TOWN COULDN'T DO IT

Philbrick said he'd be delighted if a group trying to promote local development of the beach could come up with a workable plan. But he added, "I don't think the town is able to do it on its own hook. It would be an intolerable burden." He said the only hope for local beach development he can see would be through the "generosity of individuals."

Philbrick refrained from joining other town officials when they spoke against the park proposal at a legislative hearing.

Meanwhile, two area planning officials pointed out the importance of the beach as a regional development.

"This means much more to the region as a whole than to Cape Elizabeth," commented Graham S. Finney, Portland's chief planner. "This is really a test of whether we have a region here or still talk in terms of small towns and cities. Inland towns and others whose shore has been used have got to find access to the sea."

Robert Ewing, chief planner for the Greater Portland Regional Board, is one man who can see both sides of the picture. Continued on Page 21; 5th Col.

## Philbrick:

(Continued From Page One)

ture. He's also a member of the Cape Elizabeth Planning Board. Said Ewing:

"As a regional planner I think it would be extremely unfortunate if the park proposal were defeated. It's probably the best place where people of the area can go for recreation on the ocean front. Economically it is important because it would make the area a much more attractive place to live."

"As far as the Cape goes, it might do a good deal of harm."

"But in both my capacities, I still favor it."

### NONCOMMITTAL

Halsey Davis, chairman of the Area Development Council, and Robert L. Baker, chairman of the South Portland City Council, both said they hesitated to comment because they did not feel they were familiar enough with the "concrete permanent facts" on the proposal.

Both stated that the proposal had never been taken up by the official bodies they represent.

May 3, 1960

State Parks Commission  
Director of State Parks  
Augusta, Maine

Dear Mr. Stuart,

The Board of Selectmen would like to go on record with the Parks Commission as to asking the State to do its utmost in protecting the rights of the commercial fishermen using the Crescent Beach area.

There has been some concern regarding small boats interfering with the lobster traps, fishing nets, etc.

Anything you can do to clarify the situation will be greatly appreciated.

Very truly yours,

Allen M. Marks,  
Town Manager

AMM/dw



COMMISSION MEMBERS

FAUST COUTURE, LEWISTON  
CHAIRMAN  
WILLIAM H. RAYE, WEST BOOTHBAY HARBOR  
ELLIS A. SLAVEN, BLUE HILL  
ROLAND H. COBB, AUGUSTA  
COMMISSIONER INLAND FISHERIES AND GAME  
AUSTIN H. WILKINS, AUGUSTA  
FOREST COMMISSIONER



LAWRENCE STUART  
DIRECTOR OF STATE PARKS  
CHARLES P. BRADFORD  
SUPERINTENDENT  
CLYDE N. MANWELL  
PARK PLANNER  
ROSCOE C. SANBORN  
ACCOUNTANT

## State Park Commission

AUGUSTA, MAINE

May 4, 1960

Mr. Allen M. Marks  
Town Manager  
Cape Elizabeth, Maine

Dear Mr. Marks:

This will acknowledge receipt of your letter of May 3rd expressing the concern of the Board of Selectmen of Cape Elizabeth regarding the rights of the commercial fisherman using the Crescent Beach area with particular reference to interference from small boats, etc.

Although our plans for the development of Crescent Beach have not taken shape as yet it is our thinking at this time not to encourage small boating from our Park land. We have not gone into this matter in too great detail, but it is our offhand opinion that the proposed Crescent Beach State Park is not a safe area in which to encourage small boating.

Sometime when I am down your way, I would like to discuss with you in greater detail "the rights of commercial fishermen". We expect so far as possible to protect the rights of those fishermen who are now using land which we plan to take but we do not see how we can provide facilities for additional fishermen who may want to move into the area to take advantage of the state owned facilities. How do you feel about this?

I think you also should know, so that you can stop any rumors which may start, that we plan to take all of the land in the original plan submitted to the 99th Legislature, presented before the public meeting in your town and clearly defined on all of our acquisition plans. Rumor has it that we intend to

Mr. Allen M. Marks

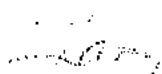
-2-

May 4, 1960

leave certain parcels for certain individuals. This matter was discussed at a recent meeting of the Commission and we have no such intention. In fact, it would be contrary to the act of the Legislature.

Please keep me informed of any further developments and I will stop in to see you in the near future.

Sincerely yours,

  
Lawrence Stuart  
Director of State Parks

Ls/sw

# Fishermen Given Green Light In Cape State Park Vicinity

By ELINOR B. CLARK  
Area Correspondent

CAPE ELIZABETH — Commercial fishermen operating in the Crescent Beach State Park area when the land was purchased by the state will be allowed to continue to operate, selectmen were told Monday night.

But Lawrence Stuart, director of State Parks and Recreation, said there will be no provision for recreational boat-ara. "Crescent Beach is a dangerous place for amateurs operating boats and the park commission will do nothing to encourage them," Stuart said.

AS FAR AS accommodating fishermen is concerned, he said plans call for the area they are now using to be continued for parking, boat trailers, and possibly winter storage. Fishermen will use a right-of-way adjacent to the park for launching boats.

Clyde N. Manwell, who heads the Planning and Engineering Division of the state park commission, said this area would be fenced in, keeping with landscaping in the rest of the park.

The two state park officials met informally with selectmen, showed tentative plans and briefed selectmen on the status of finances for the park development.

STUART SAID PLANS for the park are being delayed intentionally in the hope that a Land and Water Conservation Fund Bill will be passed by

Congress. This would make \$400,000 in matching funds available in addition to the \$400,000 granted by the 101st Legislature in January.

Initial plans cover only the funds from the state. If the federal funds are forthcoming, the entire park would be developed.

The initial plans call for work to start in August on an access road, a 400-car parking lot, sewage treatment plant, toilets, a concession building and a bath house. If federal funds materialize there would be a several months' delay.

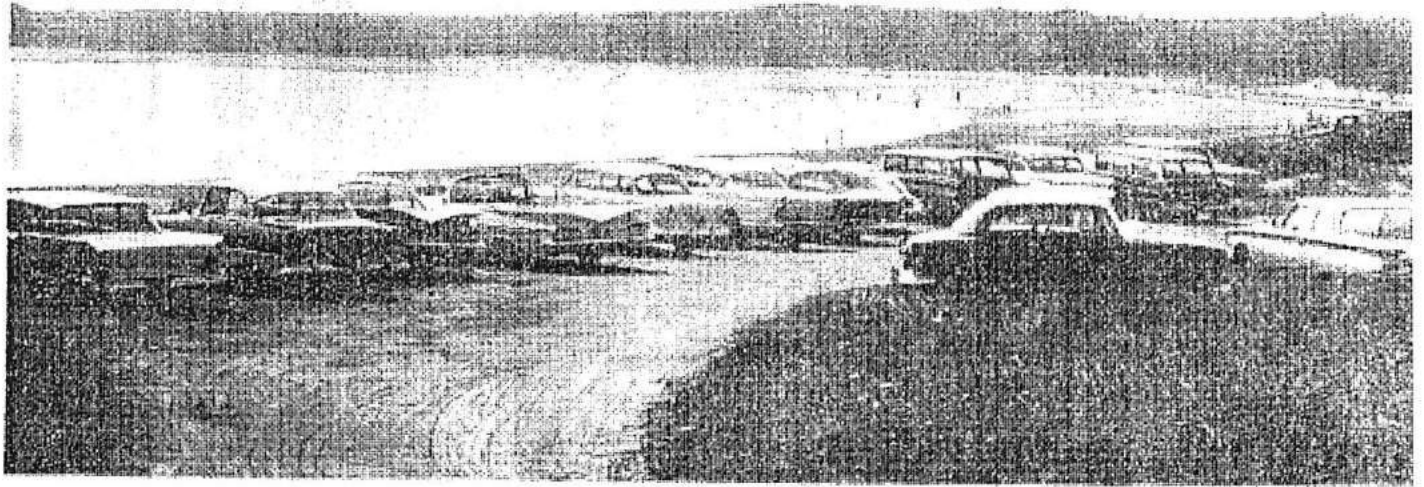
THE PARK will be open this summer with the same regula-

tions in effect as last summer until construction is started, Stuart said.

At present the property is under the jurisdiction of Edward C. Werler, superintendent of Two Lights State Park, and 50 cars are allowed in the parking area located in the center of the beach.

Construction will start on the westerly end of the beach with an access road to enter the Frank Jordan property. The state is planning to acquire additional land on the Bowery Beach Road from Leroy Jordan to insure a scenic approach to the west entrance.

August 11, 1961



By Staff Photos

*They Can't Wait To Use Crescent*

Crescent Beach Park . . .

# *Public Ready, Area Is Not*

CAPE ELIZABETH — Crescent Beach is a long way from its official opening but it's already getting much use. The facilities aren't ready but the public is.

There is parking for only 20 cars, but as many as 100 have been coming weekends.

Some Crescent Green neighbors are putting chains across their driveways to keep parkers out.

The several hundred weekend beach bathers find no toilets, bath houses or water bubblers.

State Parks Director Lawrence Stuart would like to see any special session of the Legislature consider funds for quick development of the Park here.

**IF CRESCENT WERE avail-**

able it would help take some of the growing pressure of the state's other big ocean park. Reid, at Georgetown, Stuart feels. People are being turned away from Reid this summer for the first time.

Recently 200 cars were turned away there in one day.

Stuart said the state will acquire the last of the land for Crescent Beach Park by early fall.

Papers were filed in the Registry of Deeds in Portland this week transferring slightly more than three acres owned by Eva Pride to the state.

**SHE ASKED \$15,000** for the land. The state appraised it at \$8,850. Stuart said Mrs. Pride was given "nearer the top figure" after the Executive Council looked the property over.

Stamps on the deed indicate she got \$15,000.

Not yet acquired are less than an acre owned by Edward and Henrietta Martin and a tenth of an acre owned by Mrs. Evelyn L. Coker.

The Martins ask \$42,000 for their land, which has four cottages on it; it was appraised by the state for \$29,500. The Martins have been considering taking legal action to prevent the state from taking their land by eminent domain.

However, Stuart said, the couple has made an offer to settle the matter. The offer will come before the Executive Council at its September meeting.

**THE PARK DIRECTOR** made public use figures for the new Two Lights State Park.

near Crescent Beach State Park but without a beach.

Two Lights had 43,339 visitors this summer as of July 31. Estimates when the park was opened were for 30,000 visitors during the entire summer. Stuart now expects at least 60,000.

"We've had many special parties use Two Lights," he pointed out. "A group of concerts will be taken there by the Maine Port Authority Aug. 23, for example. They'll be here for the Maine Products Show in Augusta. The Little Leaguers, who came to Portland to play in the regional contests are being taken there for feeds."



# DEPARTMENT OF PARKS & RECREATION

State Office Building  
Augusta, Maine 04330

February 19, 1974

AREA CODE 207  
280-3821

LAWRENCE STUART  
COMMISSIONER

Mr. Kenneth H. Neipert  
Town Manager  
320 Ocean House Road  
Cape Elizabeth, Maine 04107

Re: Ocean House Road  
Kettle Cove Area

Dear Mr. Neipert:

Accompanying this letter are two prints showing the proposed plan for improvements in parking, traffic circulation, and other public facilities at the end of Ocean House Road.

We would like to begin construction on this project early this spring, if necessary approvals can be obtained in time.

The Town of Cape Elizabeth will be involved in this project in regard to snow removal, the use of some beach within the area by local fishermen, and in reviewing the application which we must soon submit to the Department of Environmental Protection in order to obtain their approval of this project.

We must also submit an application to Federal officials in order to obtain Bureau of Outdoor Recreation matching funds.

It is my understanding that the town snow plow normally turns in the existing parking space at the end of Ocean House Road. We assume that if the proposed parking area is constructed, town plows will continue to turn in the new area.

The new area as shown will accommodate about 60 cars. Tentatively we plan on using bituminous concrete pavement and curbing.

*Heck,  
Could you please  
take a look at this plan?  
Any problems?  
Mike*

Mr. Kenneth Neipert  
Page 2  
February 19, 1974

Before we proceed further with design and before we submit our applications to D.E.P. and B.O.R., we would like to obtain preliminary approval of our plans by the town.

Would you please have the proposed plan reviewed by the appropriate town officials and agencies and let us know as soon as possible of any recommendations by the town which will effect the plan as shown.

If there are any questions, please feel free to contact me at this office, telephone 289-3821.

Very truly yours,

*Alvin C. Wagner*

Alvin C. Wagner  
Park Planner

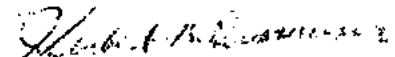
ACW/rw  
Encl.

Memo  
To: Town Engineer  
From: Supt. Public Works  
Subject: Kettle Cove Turnaround  
February 26, 1974

Mike

I can not fore see any problems with the proposed turnaround plans of th State. My only thoughts are that they be made aware ,that this has to be not only open to the snow plow and fisherman but to the public so they can also turn around.

In looking at there plans, I assume that they are planning on this, and not planning on installing any gates.

  
Herbert B. Dennison  
Supt. Public Works

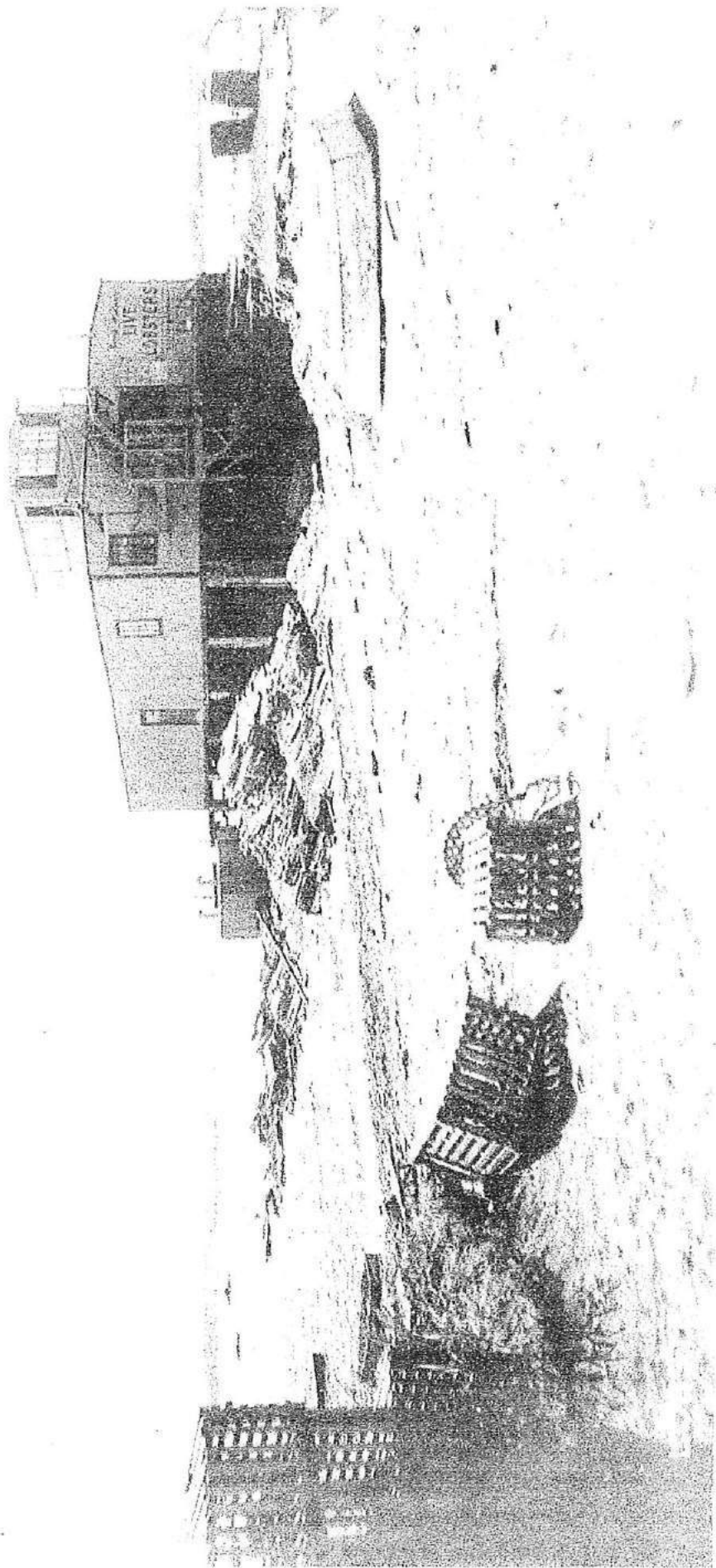
cc Town Manager

O.K. -  
3-5-74  
M. De Luca





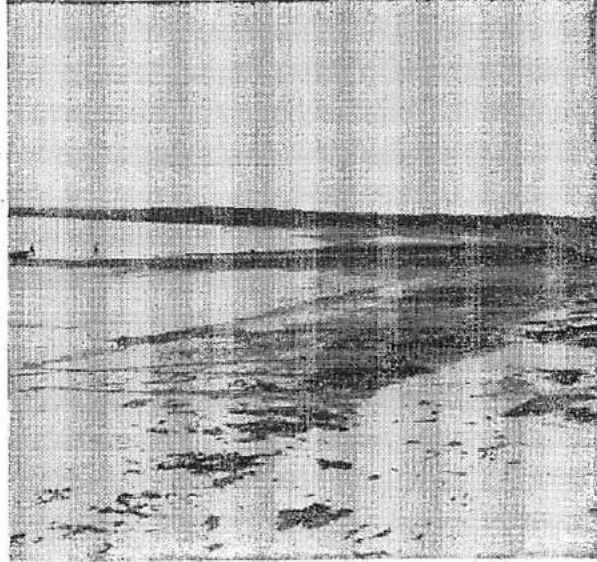




June 7/1937



Fishing craft and lobster traps . . . .



. . . . and vast reaches of lonely sand, sea and sky.

By Staff Photographer Elwell

### Strolling With A Beachcomber ...

# Crescent Could Be A Peach Of A Beach

By HARRISON BROWN  
Staff Reporter

CAPE ELIZABETH—Play hooky one of these bright June days and go down to the sea.

You don't have to ship out. You don't even have to take your own boat, because your rendezvous with wide skies and salt water will be just an eight-mile drive from busy downtown Portland.

The place is Crescent Beach. This morning in Augusta the House of Representatives voted to include its acquisition cost in the budget. This means that there is a hope that the days are numbered for unsupervised bathing, for all-night beach parties and for the dumping of trash and used beer bottles which litterbugs always seem to smash so carefully before discarding.

DEVELOPMENT OF CRESCENT BEACH as a state park has been urged for years by the State Park Commission and has been approved by the State Bureau of Public Improvements.

This easy-to-reach spot is one of the few large sandy beaches on the otherwise rockbound coast of Maine that remains remarkably, virtually undeveloped, either publicly or privately.

Maine at present owns and operates only one recreation area on salt water—magnificent Reid State Park at Georgetown.

Curving gently for a mile around the northerly shore of Seal Cove, Crescent Beach affords a huge area, even at high tide, for sun-bathing, picnicking, dog-romping, or the building of sand castles.

At low tide this area is about 100 yards wider. The hard sand left by the receding sea provides a broad, smooth playground. It's also a natural motor speedway, a fact which became so evident that in 1951 the Town of Cape Elizabeth had to bar cars from the beach in summer except from 3 a.m. to 7 a.m. Fishermen, however, daily use cars to haul their punts to and from the water.

SEAL COVE IS ACCURATELY NAMED—When tide and wind are right, hundreds of the ingratiating seagoing mammals can be seen clearly from shore, bobbing around in the swells or basking on reefs exposed at low water.

The gradually sloping beach affords considerable safety for bathers. When the wind is from the southeast the surf is high enough for fun and excitement, but it's seldom heavy enough to create dangerous undertow.

The cove is also safe for a careful boatman and the hard sand makes the use of trailers feasible. It is the home anchorage of the Cape Elizabeth lobster fleet, made up mostly of small, outboard-powered craft.

And once afloat, there are places for boats to go to. Less than a mile offshore lies historic Richmond Island, 220 acres of dense spruce growth and rolling grasslands, now inhabited only by game and a small flock of wild, semi-starved sheep. The island is surrounded by small sandy beaches, little coves and rocky, suri-pounded headlands.

FROM NOW UNTIL after Labor Day, the beach will be densely populated by people who will somehow contrive to get in and out of bathing suits behind sand dunes, who will—we hope—manage to keep their bare feet off broken bottles, and who will—we fear—add to them and to the other noisome litter.

Three months from now the wheeling gulls will take over, and the only humans on the beach will be fishermen, bird-watchers and rugged hikers who know a good thing when they see it—near home.

But now there's hope that thousands may enjoy safely and even more fully the panorama of sand and sea and sky.

## Philbrick 'Sees' State Park At Cape

By JIM BROWN  
Assistant-City Editor

The chairman of the Cape Elizabeth Board of Selectmen said today he thinks Crescent Beach will become a state park, "sooner or later."

Donald L. Philbrick did not give outright support to the park proposal. He said he sympathizes with the view of legislative economists who have sought to slash park funds in order to avoid tax increases and because they do not believe in bond issues for "luxuries."

But Philbrick added that "if it's going to be done (creation of the new park), I'd like to see them go ahead now."

### TOWN COULDN'T DO IT

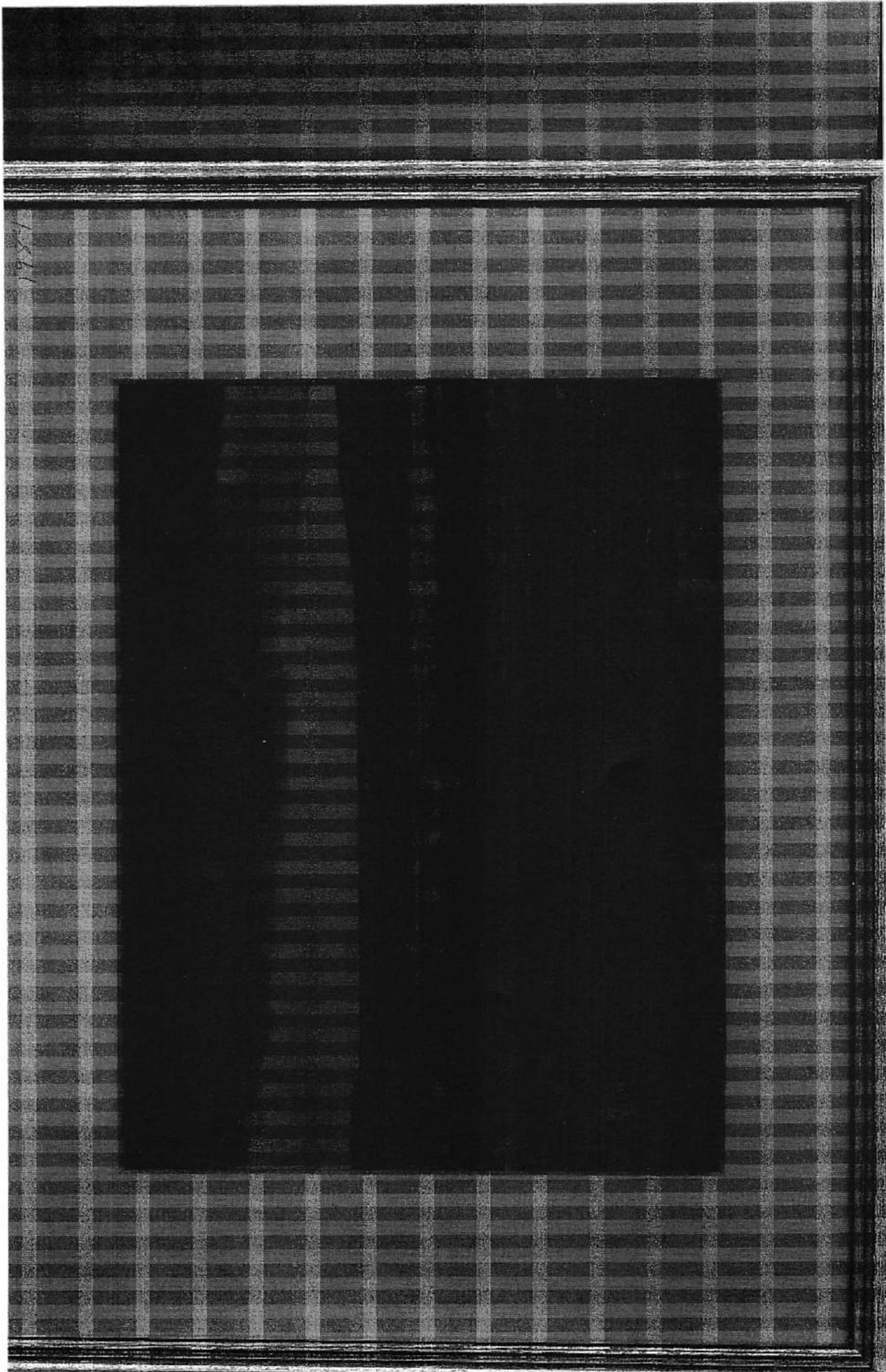
Philbrick said he would be delighted if a group trying to promote local development of the beach could come up with a workable plan. But he added, "I don't think the town is able to do it on its own hook. It would be an intolerable burden." He said the only hope for local beach development he can see would be through the "generosity of individuals."

Philbrick refrained from joining other town officials when they spoke against the park proposal at a legislative hearing.

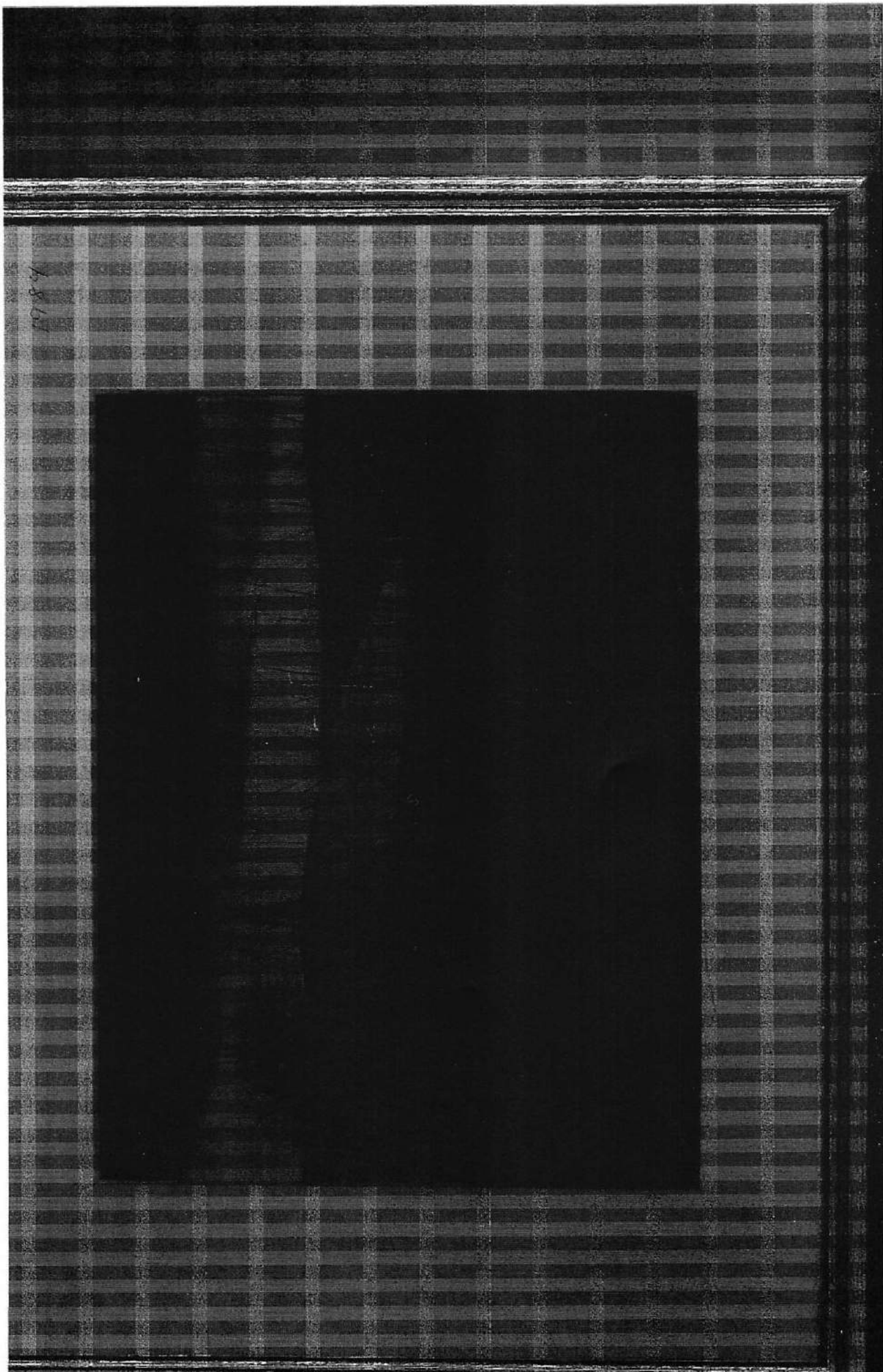
Meanwhile, two area planning officials pointed out the importance of the beach as a regional development.

"This means much more to the region as a whole than to Cape Elizabeth," commented Graham S. Finney, Portland's chief planner. "This is really a test of whether we have a region here or still talk in terms of small towns and cities. Inland towns and others whose

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1887

*Long View Company*  
*Lobster Pound and Restaurant*

Greater Portland's Ideal Recreation Spot



**KETTLE COVE**

Brescent Beach · Cape Elizabeth  
Maine

KETTLE COVE - as typically Maine as its rockbound coast  
Portland on Route 77 - where delicious clear-water lobsters are on

*FREE BATHING, SWIMMING, PARKING*

*RESTAURANT SERVICE*

*SANDWICH BAR*

*Toasted Lobster Rolls - Grilled Frankforts and Hamburgs*

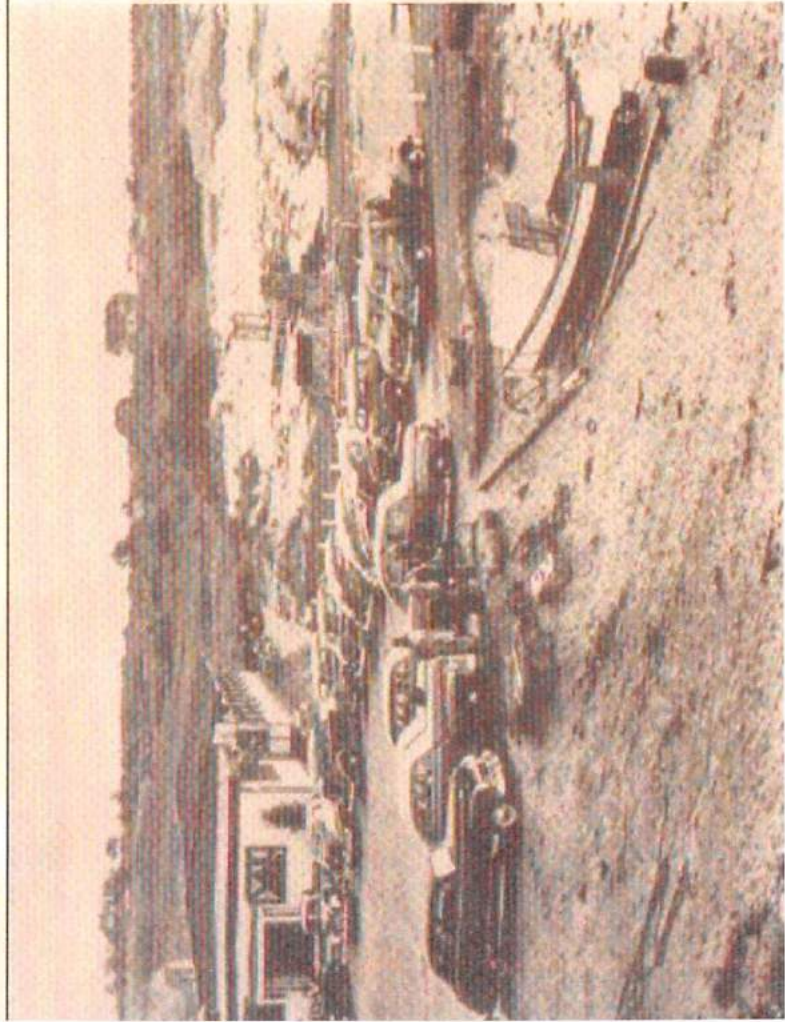
*Soft Drinks, Ice Cream, Candies, Coffee*

*COTTAGES - WEEK OR MONTH*

Kettle Cove - 4-6348

H. C. NEWELL, Mgr., Res. 4-0596

*How  
To  
Get  
There*



## Steve Harding

---

**From:** ILYA FLEISHMAN <iif1@msn.com>  
**Sent:** Monday, March 27, 2017 11:41 AM  
**To:** matthew.sturgis@capeelizabeth.org; Steve Harding  
**Cc:** Shoener, Kurt  
**Subject:** Fw: Kettle Cove Rd Embankment  
**Attachments:** revetment plan.jpg; revetment section.jpg

**Categories:** Important

Dear Mr. Sturgis and Mr. Harding,

I have been involved with an informal neighborhood group concerned about State and Local government actions and inactions in the Kettle Cove Rd. area.

Last fall, John LoBosco and I met with Manger Kurt Schoener and Biologist Joe Wiley to discuss and devise a land management plan for Crescent Beach State park that would suppress tree growth from the thicket between Kettle Cove Rd. and the State Park day use area tom maintain NECRabbit habitat and preserve the view shed. We look forward to that plan being implemented as discussed.

Also last fall, I circulated a design proposal to the group based on interest expressed by the Town and State on repairing or replacing the cribbing bulkhead and rip-rapped shoreline along Kettle Cove Rd. with a revetment. Attached is this proposal with the forwarded letter to the neighbors.

This spring, I have planned to introduce myself and further discuss these and other issues. Several of my neighbors have also discussed interest in placing the electrical wires along the road underground - a costly project in which we would gladly participate. There may be other items that others have expressed that could dove-tail with such project - former Park Manager Macintosh had brought up the idea of a side-path to the road.

After noticing the change in the sign restricting non-commercial use of the town ramp at Kettle Cove and realizing that the Harbor Commission may propose other significant changes to the area, I am reaching out to you today. I plan to attend the Harbor Commission meeting tomorrow evening and hope to convene a meeting to discuss these other related issues with you and the State in the near future.

Sincerely,

Ilya I Fleishman  
42 Kettle Cove Rd.  
410-703-7922  
iif1@msn.com

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**From:** ILYA FLEISHMAN <iif1@msn.com>  
**Sent:** Monday, December 12, 2016 12:38 PM

**To:** ILYA FLEISHMAN; al@steelguy.com; kathyberinger@gmail.com; Tara Bucci; cbulsa@maine.rr.com; caper42@gmail.com; grandpacap@yahoo.com; john@theadetrade.net; nancy@jadeintegratedhealth.com; kcoker@maine.rr.com; caper38c@gmail.com; richd06492@gmail.com; daniel.desimone@yahoo.com; cbdoucette@gmail.com; janedoyle1@me.com; kdoyle@taskstream.com; dougdrams@mac.com; jduddy@maine.rr.com; mduddy@krz.com; aledwards@gmail.com; eganhill@gmail.com; ida\_goscinski@hotmail.com; melora.gregory@icloud.com; danharriman@hotmail.com; jhuebene@maine.rr.com; donkennel@gmail.com; rdlew@aol.com; lobosco@maine.rr.com; loboscoc@maine.rr.com; timothylynney@msn.com; ben.lydon7@gmail.com; tlydon1@maine.rr.com; danielmatusko@gmail.com; k2b2m215@aol.com; pjmulin@maine.rr.com; chadjackie@aol.com; tjoconnell52@gmail.com; dickomeara@maine.rr.com; forzel@gmail.com; sherico100@gmail.com; markpendarvis@gmail.com; susharksie@aol.com; margueriteprentice@gmail.com; janicereale@gmail.com; maineandny@yahoo.com; rriker@maine.rr.com; sriouxx@maine.rr.com; wrobin5626@aol.com; susan.samberg@gmail.com; scontras@maine.edu; robynshaw13@icloud.com; res@maine.rr.com; lynslack@maine.rr.com; ctaintor@nhdlaw.com; mecw@maine.rr.com; scott@irvings.name; nancy@irvings.name; anneinmaine@gmail.com; ddussaul@maine.rr.com; rickbarkhuff@yahoo.com; Michael Connell  
**Cc:** Michael McGovern; Shoener, Kurt; kim@commondreams.org; Rebecca Millett  
**Subject:** Kettle Cove Rd Embankment

Dear Neighbors,

I hope that everyone is enjoying their holiday season so far and that the new year will find everyone well.

I would like to report some of the latest events related to our local state parks since John and my meeting with Park Manager Kurt Shoener and Biologist Joe Wiley. As I reported, Joe will be suppressing tree growth and the invasive bamboo in the thicket behind Crescent Beach this coming year.

As it seemed we were 'on-the-role', I brought up a couple of other projects with the Town and State that have been casually discussed amongst neighbors.

I indicated to Mike McGovern that folks along Kettle Cove road would love to see the wires put underground. Mike said that he would ask the town's engineer to get a cost estimate for such a project. I will further discuss the idea with Mike's successor when he takes office.

I also mentioned that the rip-rapped embankment that holds Kettle Cove Road above Crescent Beach has been and continues to fail. Mike met with Kurt and engineers from the State about it. The embankment and road is in the Town's jurisdiction and responsibility, while the beach is owned by the State. I have been requested to make a formal proposal to the Town for such project. I would like to present my idea to you for input first and then submit it to the Town.

In the past, bulkheads (a vertical retaining wall) were typically used for shoreline protection. They are expensive to build in today's market, have little or no habitat value, and often catastrophically fail over time. The engineering solution typically employed today is a revetment. A revetment is not a pile of stones dumped down a bank; it is a carefully laid integrated stone structure that slopes up from the water's edge. The structure is elastic and settles and shifts over time without failing. The energy of the waves dissipates as the water moves up the structure so that there is no undercutting of the bank or high impact that causes structural failure.

I am proposing a design for this location that builds out from the existing embankment. The top 3 feet of drop from the road is a gently sloped 12 feet wide grass strip along the road. This area is above the wave impacted zone, but the gentle slope allows any wave action to wash up on it without erosion. This strip is also a useful



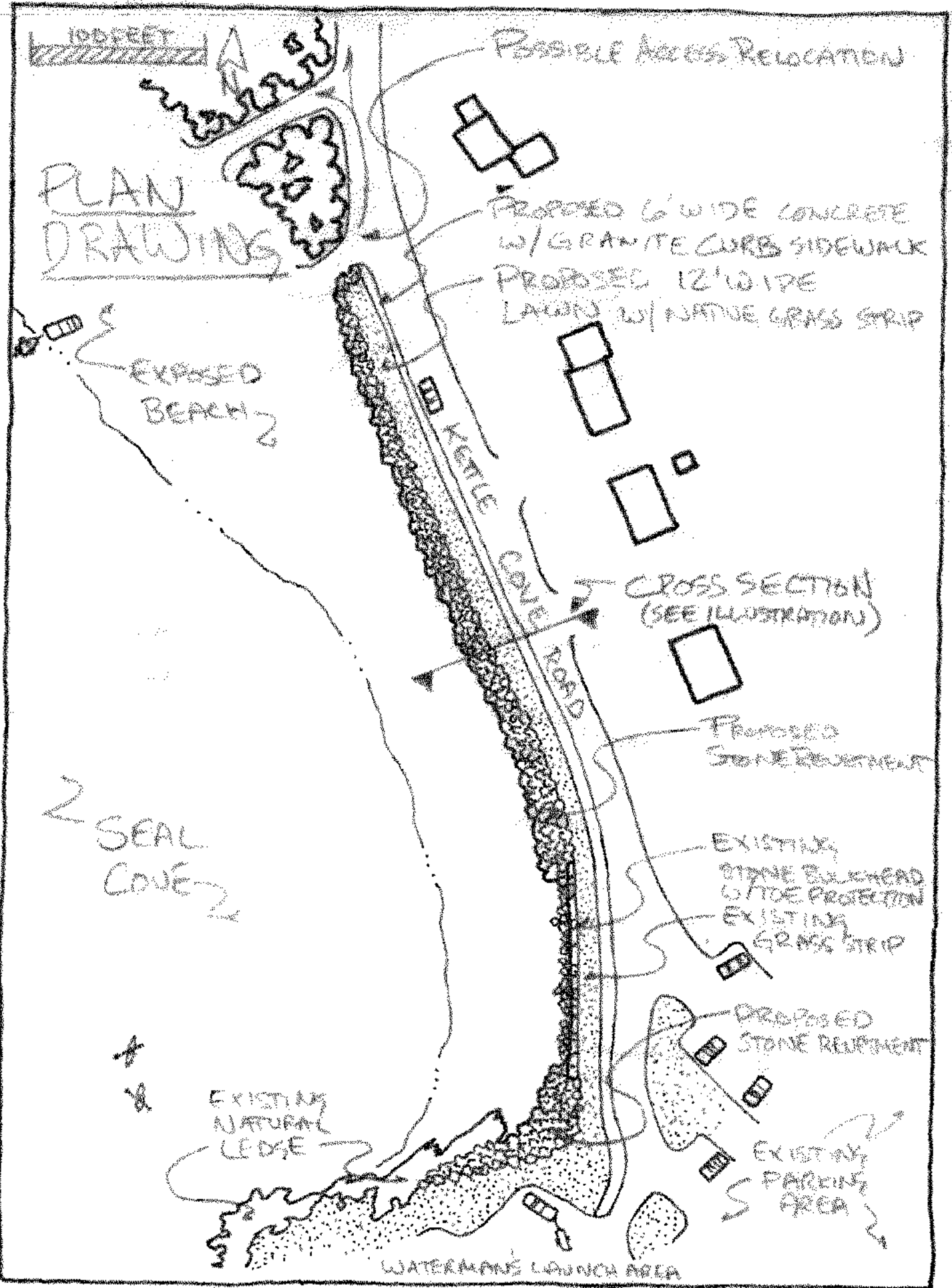
area, relieves the necessity for a guard rail, and can be planted with other soil retaining plants such as the native switch grass for naturalizing the aesthetics. Below that strip begins the revetment. The armor stones are carefully placed together so that the outside surface is relatively smooth. Large rock slabs are 'chinked' together with smaller stones to fill the gaps and secure the surface. These structures, when gently sloped, can be traversed so that the shoreline can be walked even at high tide. The revetment would begin at the beach access ramp with a lower profile (as the beach's elevation is higher) and tie into the remaining intact section of beautifully laid ledge bulkhead from the 1950's near the headland. A widened concrete with granite edged sidewalk is also proposed along the road. Discussion on relocating the existing beach access ramp farther up Kettle Cove Road can also be considered at this time. It is very important that the stone sourced (some of what's there can be reused) be aesthetically consistent with the local ledge material to maintain the park's natural character even with such a large structure.

I am sure that there is available funding sources for such a project. Projects that protect public infrastructure and public water access generally get a high score from Coastal Zone Management grants and other government sources. I also believe it appropriate for the Town to prioritize some efforts at our end of the neighborhood - it's not Shore Road, but we still don't want it to wash away.

Please review the attached conceptual design drawings I prepared. We can discuss any issues on this forum, or we can call a neighborhood presentation and meeting next year.

Thank you for considering these ideas,

Ilya



PLAN DRAWINGS

100 FEET

Possible Access Relocation

EXPOSED BEACH

KETTLE COVE

PROPOSED 6' WIDE CONCRETE W/ GRANITE CURB SIDEWALK  
 PROPOSED 12' WIDE LAWN W/ NATIVE GRASS STRIP

CROSS SECTION (SEE ILLUSTRATION)

ROAD

PROPOSED STONE REINFORCEMENT

SEAL COVE

EXISTING STONE BULWARK OUTSIDE PROTECTION  
 EXISTING GRASS STRIP

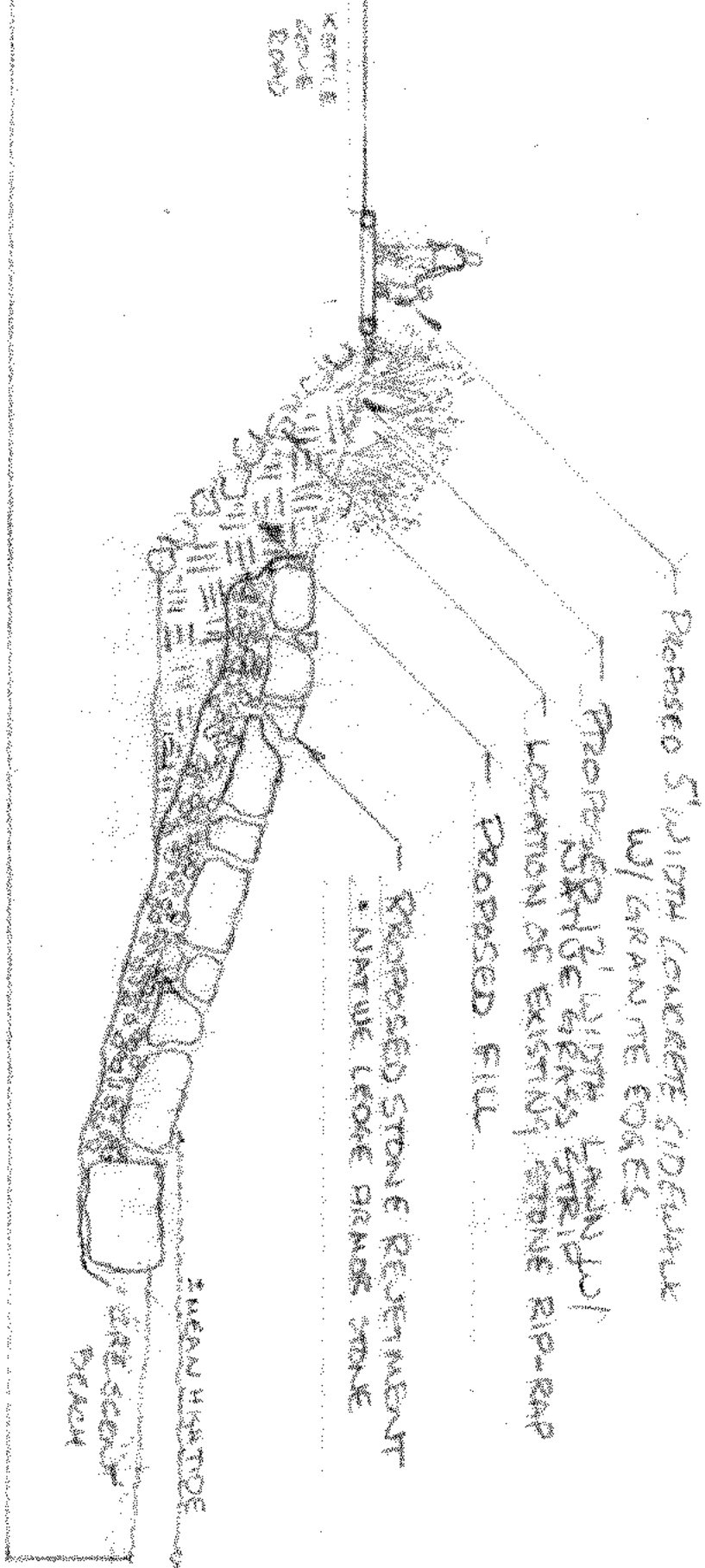
PROPOSED STONE REINFORCEMENT

EXISTING NATURAL LEDGE

EXISTING PARKING AREA

WATERMAN'S LAUNCH AREA

# Cross Section Through Proposed Retention



## Steve Harding

---

**From:** Steve Harding  
**Sent:** Monday, May 08, 2017 9:21 AM  
**To:** Katharine Ray (retbank@maine.rr.com); Caitlin Jordan (caitlin.jordan@capeelizabeth.org); James Casey (jim@caseycommunications.biz); Stephen Culver (sculverhbc@gmail.com); Susan Farady (sfarady@une.edu)  
**Cc:** 'Debra Lane'  
**Subject:** FW: Sign(s)  
**Attachments:** KC Launching Sign.jpg

Hi All – The attachment was handed out at yesterday's site walk at Kettle Cove. The Committee should consider to acknowledge receipt of this information at their next meeting. Steve

**From:** ILYA FLEISHMAN [mailto:iif1@msn.com]  
**Sent:** Sunday, May 07, 2017 3:58 PM  
**To:** Steve Harding <sharding@sebagotechnics.com>  
**Subject:** Sign(s)

Steve,

Attached is the digital copy of the proposed sign... there would have to be a couple of related instructional sign at each launch location. This should make it immediately clear to people with car tops as to what they are supposed to do rather than getting unjustifiably hollered at for doing-it-all-wrong.

I have to express to someone that I have repeatedly been listening to exclamations of just how important and what a chronic problem it is to keep everyone out of the commercial launching area... today I learned that, even after my prodding for information and discontent, someone got in the way...

A standard Commercial Vehicles Only : Do Not Enter sign at the parking lot and an Active Ramp : Keep Clear sign at the water's edge should take care of it better than the existing sign at the commercial launching area.

A Loading Zone : No Parking sign at the car top launch should do it, too.

A Vehicular Access By Town Permit Only at the proposed Crescent Beach access.

If the stones are moved closer to the road (4-5 feet rather than 10-12) at the bend before the park, people will stop unloading their car tops there and follow the instructions - the ugly No Parking signs, which do not prohibit loading and unloading, can even be removed.

I'm pretty sure the State would go for this easy fix and the neighbors would be happy, too.

Ilya

## Steve Harding

---

**From:** Chuck Redman <credbow73@yahoo.com>  
**Sent:** Monday, July 31, 2017 10:51 AM  
**To:** Kurt Shoener; Steve Harding; ILYA FLEISHMAN  
**Subject:** Fw: Beach Tailgating

Should have included all three of you.

### Sent from Yahoo Mail for iPhone

*Begin forwarded message:*

On Monday, July 31, 2017, 10:49 AM, Chuck Redman <credbow73@yahoo.com> wrote:

I do observe a fair amount of non commercial launching from that ramp on evenings and weekends, typically when there is no ranger presence. I don't know if it only fisherman doing so, but is certainly does take place.

If you review the current Town parking regulations, there are specific rules dealing with activity on Crescent Beach. If the Town has no responsibility for enforcing activity on the beach, I'm not sure why regulations governing such activity ever got promulgated.

One solution I have suggested might solve many problems relating to the pressure on Kettle Cove is to think more creatively about using the Crescent Beach parking area and that portion of the beach to launch personal watercraft. The state has arranged with Portland Paddles to manage a rental operation there; so the possibility exists for others to do so. There is a lot more parking and beach available there than where things jam up regularly at the Kettle Cove end.

### Sent from Yahoo Mail for iPhone

On Monday, July 31, 2017, 9:18 AM, ILYA FLEISHMAN <jif@msil.com> wrote:

I don't think this is a Town enforcement issue... I have never seen a CE police vehicle on the beach. I don't know if these people have permits or if they just pulled down there to party. Perhaps the town's permits should be given to the trailer rather than the vehicle. It should be pretty easy to enforce - if the car on the beach does not have a trailer, it should not be there.

It is also obvious that the commercial watermen's use the ramp for their personal vessels these past weekends. They have been granted exclusive commercial use - it is not their personal ramp. They should launch their personal craft from the beach as everyone else has to do. There are several people with commercial licenses who never fish but only have the license to launch their personal crafts from the ramp.

Since the ramp is given exclusively for commercial use, then all other launching must be coordinated, managed, signed and enforced in a way that is 1) fair, 2) reasonable to accomplish the task, 3) is not a problem to everyone else, 4) respects the resource.

I will forward this to Steve Harding so that the Town and State can better coordinate.

Ilya

---

**From:** Chuck Redman <credbow73@yahoo.com>  
**Sent:** Monday, July 31, 2017 6:35 AM  
**To:** ILYA FLEISHMAN; Shoener, Kurt  
**Subject:** Re: Beach Tailgating

I think the Harbor Committee is a good forum. Kurt, I wish you could attend regularly as policy recommendations get formulated. There is definitely a lack of clarity between the Town and State operationally it seems.

Sent from Yahoo Mail for iPhone

On Sunday, July 30, 2017, 8:28 PM, ILYA FLEISHMAN <iif1@nisen.com> wrote:

I thought that the park handled enforcement of the beach launch area...

There may need to be some coordination between the town and the park about this... Harbor Committee could handle this and other issues with the beach launching area.

Kurt - please advise.

Thanks,

Ilya

---

**From:** Chuck Redman <credbow73@yahoo.com>  
**Sent:** Sunday, July 30, 2017 5:35 PM  
**To:** ILYA FLEISHMAN; Shoener, Kurt  
**Subject:** Re: Beach Tailgating

Agree. Pointed this out to staff, but was told the Town deals with the issue.

Sent from Yahoo Mail for iPhone

On Sunday, July 30, 2017, 5:18 PM, ILYA FLEISHMAN <ifl@msn.com> wrote:

Kurt,

What a day!!

Hate to give you another 'enforcement' issue, but...

There were a few cars and trucks using the drive-on beach area as a means of having a tailgate party and/or private parking for Crescent Beach. I thought the beach area was for trailer launching only.

Ilya

## Steve Harding

---

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**To:** Kurt Shoener; Steve Harding; ILYA FLEISHMAN  
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On Monday, July 31, 2017, 9:18 AM, ILYA FLEISHMAN <ilf@msn.com> wrote:

I don't think this is a Town enforcement issue... I have never seen a CE police vehicle on the beach. I don't know if these people have permits or if they just pulled down there to party. Perhaps the town's permits should be given to the trailer rather than the vehicle. It should be pretty easy to enforce - if the car on the beach does not have a trailer, it should not be there.

It is also obvious that the commercial watermen's use the ramp for their personal vessels these past weekends. They have been granted exclusive commercial use - it is not their personal ramp. They should launch their personal craft from the beach as everyone else has to do. There are several people with commercial licenses who never fish but only have the license to launch their personal crafts from the ramp.



Since the ramp is given exclusively for commercial use, then all other launching must be coordinated, managed, signed and enforced in a way that is 1) fair, 2) reasonable to accomplish the task, 3) is not a problem to everyone else, 4) respects the resource.

I will forward this to Steve Harding so that the Town and State can better coordinate.

Ilya

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**From:** Chuck Redman <credbow73@yahoo.com>  
**Sent:** Monday, July 31, 2017 6:35 AM  
**To:** ILYA FLEISHMAN; Shoener, Kurt  
**Subject:** Re: Beach Tailgating

I think the Harbor Committee is a good forum. Kurt, I wish you could attend regularly as policy recommendations get formulated. There is definitely a lack of clarity between the Town and State operationally it seems.

Sent from Yahoo Mail for iPhone

On Sunday, July 30, 2017, 8:28 PM, ILYA FLEISHMAN <iif1@msn.com> wrote:

I thought that the park handled enforcement of the beach launch area...

There may need to be some coordination between the town and the park about this... Harbor Committee could handle this and other issues with the beach launching area.

Kurt - please advise.

Thanks,

Ilya

---

**From:** Chuck Redman <credbow73@yahoo.com>  
**Sent:** Sunday, July 30, 2017 5:35 PM  
**To:** ILYA FLEISHMAN; Shoener, Kurt  
**Subject:** Re: Beach Tailgating

Agree. Pointed this out to staff, but was told the Town deals with the issue.

Sent from Yahoo Mail for iPhone

On Sunday, July 30, 2017, 5:18 PM, ILYA FLEISHMAN <iif1@msn.com> wrote:

Kurt,

What a day!!

Hate to give you another 'enforcement' issue, but...

There were a few cars and trucks using the drive-on beach area as a means of having a tailgate party and/or private parking for Crescent Beach. I thought the beach area was for trailer launching only.

Ilya

## Steve Harding

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**From:** Matthew Sturgis <matthew.sturgis@capeelizabeth.org>  
**Sent:** Monday, July 31, 2017 1:50 PM  
**To:** Steve Harding  
**Subject:** Fwd: Harbor Plan Comment

Hi Steve,

Please see the forwarded email and share with the Committee.

Thank you,

Matt

----- Forwarded message -----

**From:** ILYA FLEISHMAN <iifl@msn.com>  
**Date:** Mon, Jul 31, 2017 at 12:56 PM  
**Subject:** Harbor Plan Comment  
**To:** "matthew.sturgis@capeelizabeth.org" <matthew.sturgis@capeelizabeth.org>  
**Cc:** "credbow73@yahoo.com" <credbow73@yahoo.com>, "Shoener, Kurt" <Kurt.Shoener@maine.gov>

Matt,

I would like to make a formal public comment to the Harbor Committee.

The Cape Elizabeth Crescent Beach Parking Regulations state that vehicles are only allowed on the beach solely for the purpose of launching (13-3-9)

The issuance of permits by the town should be limited to people who actively launch boats. I recommend that the permits be issued to the trailer rather than the vehicle to help avoid ambiguity about who and under what conditions people are allowed to drive on the beach.

Parking Regulation 13-2-4-a states that only commercial fishermen are allowed to park on the beach between May and November. This should be amended to allow others to park only while they are boating after they have launched, and leave the beach immediately after they have retrieved their boat.

The town must take some responsibility to permit proper use of the beach. This would help the State enforce that use on Crescent Beach. The beach access should be clearly signed that driving on and parking is solely for the purpose of launching.

Thank you,

Ilya Fleishman

--  
Matthew E Sturgis, CMA  
Town Manager  
Town of Cape Elizabeth

## Steve Harding

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**From:** Jerry Kneller <jdknelle@yahoo.com>  
**Sent:** Tuesday, August 01, 2017 9:52 AM  
**To:** Steve Harding  
**Subject:** Re: Cape Elizabeth Shore Line Access

Dear Mr. Harding,

How can I receive notification regarding upcoming Harbors Committee meeting open to the public to attend?

Also, I strongly concur with the two letters authored by Henry Barksdale, Sheila Mayberry and Alan MacDuffie that appear on Page 2 in Volume 30 Number 11 of The Cape Courier.

In addition, I'd like to add that it's appalling that the Town of Cape Elizabeth Council members would vote in favor to give away for free, or encumber in any way, valuable public access shoreline property based on the special interests of a few abutting property owners. Those owners know very well at the time they purchased their property that these shoreline access points are public access points and not owned or shared by abutting property owners.

However, instead of giving these public properties away for free, there should be a well-vetted process to collect public feedback on disposition of the property. If the public feedback is to give up the public access to the property, then there should be a process to auction the property to the highest bidder or to market the property through a typical land sale process which includes an independent appraisal followed a FSBO / Real Estate Broker approach. I'm certain there is value to these public access points because I know I would bid for the right to own these access points privately. The proceeds from the sale of the access points could be used to reduce CE Property Tax increase scheduled for 2018.

Let me know if you have any questions. Feel free to reach out to me, share this email with your Harbor Committee peers, and/or share without least the two Jordans, Lennon, and Grennon on the Town Council.

Regards,

Jerry Kneller  
(312) 543-2908

----- Forwarded message -----

From: **ILYA FLEISHMAN** <iif1@msn.com>

Date: Tue, Sep 26, 2017 at 4:44 PM

Subject: Harbor Commission Recommendations

To: "matthew.sturgis@capeelizabeth.org" <matthew.sturgis@capeelizabeth.org>

Cc: "Kurt.Shoener@maine.gov" <Kurt.Shoener@maine.gov>, "Gary.Best@maine.gov" <Gary.Best@maine.gov>

Matt,

Please forward the following letter with recommendations to the Harbor Committee. It is signed by a few neighbors along Kettle Cove Road with interest in this issue.

Dear Harbor Committee,

The disorganization of water access uses at CBSP and KCSP severely impacts the quality of life for the neighbors and the enjoyment of park users by pushing water access uses out of the parks' day-use areas and onto Kettle Cove Road in the adjacent neighborhood and onto Crescent Beach where excessive and unintended vehicle use deteriorates the enjoyment of the beach by other park users.

During this process, it has become clear that the Town sets the rules for beach and ramp launching while the State does the enforcement. It is also clear, through past actions, that the Town has generally been indifferent to the use of the area except for impacts to the commercial fishermen and that the State is not particularly interested in enforcing the Town's rules. It has also been demonstrated that the neighborhood has received the lowest priority in decision making on this issue from both the State and Town. We have never been consulted or asked for input when changes have been made.

We would like to thank the Town for establishing this Committee to consider all stake holders during this period of reconsidering the 1984 Harbor Plan to address the current needs of the community, and the State for supporting this effort.

Our small group of the most immediate neighbors along Kettle Cove Road has been considering these issues and listening to others in the broader neighborhood. The goal of our recommendations is to readjust the Town's rules and provide clear instruction to boaters to create a better experience for everyone.

We would like to suggest a series of small actions that could be taken by the Town and State to ameliorate these problems. Individually, they should cause no hardship to anybody and improve the ability to use and enjoy the area and its facilities for everyone. Collectively, they should significantly reduce the impact of the boating facilities on neighbors and passive park users.

The recommendations serve to fulfill four primary objectives to achieve the goal of providing public access while reducing the negative impacts to the neighborhood and the experience of passive park users:

A) Make available to the public a logical, comprehensible and organized means of achieving the variety of

water access they require (i.e. bathing beach, kayak/board launching, small craft launching, commercial fishing activity)

B) Provide all water access activities within the day use areas of the parks - not along Kettle Cove Rd. in the neighborhood

C) Reduce the number of vehicles driving onto Crescent Beach to a minimum, and boats launching within Kettle Cove SP to a level the resource can bear

D) Clearly and simply inform people how to use the area's launching facilities without excessive signage

The recommendations fall into four categories: 1) Physical design 2) Permitting 3) Information Dissemination 4) Enforcement

#### 1) Physical Design:

a) Relocate Beach Launching area access road as proposed

b) Redesign Kettle Cove Rd. roadside to restrict launching and standing by moving bollard rocks closer to the roadway and extending the guardrail

- These two steps will restrict the physical ability of people to launch carry crafts directly from Kettle Cove Road in the neighborhood and in front of people's houses.

c) Move the beach parking sign away from the neighborhood's pedestrian beach access by 25 yards

- The current position of the sign allows beach parking right up to the pedestrian beach access. People walking onto the beach are greeted by a parking lot and tail gate party. I am sure that the moving of the sign this year only considered the use of the parkers and did not consider how the move would affect the enjoyment of passive beach goers, especially the neighbors, as is typical of the priority hierarchy we as neighbors have experienced over the years.

#### 2) Permitting:

a) Allow carry launching from CBSP

- This will reduce the pressure on Kettle Cove for launching

b) Change the 'Beach Parking' permit to a 'Beach Launching' permit to go with a registered trailer or mooring, not vehicle

- This will designate the beach for its proper use and reduce beach tail gating

c) Allow trailer launching by Town's *Beach Launching Permit Only* at commercial launch after 5pm and Sundays

d) Provide Beach Launching permits to town residents only - This will reduce the demand for launching

- Once again, the hierarchy of priorities treats the neighbors last. Several local residents with moorings need some time to use the ramp each season and others would like to have some reasonable time, too, for recreation.

e) Allow carry launching into the commercial launching cove from the KC parking lot yielding to commercial fishing activity

- It would be nice if there were a reasonable alternative for carry launchers at Kettle Cove, but there is not. The commercial fishermen may well find it is better to clearly instruct carry users to *Yield to Commercial Activities* than to constantly fight a losing battle for exclusivity at the ramp. Regardless, reducing friction between users will be an improvement for all parties.

f) Make even the costs of all launching options (raise Beach Launch Permit cost and KC parking to equal State Park fees)

- This will distribute use more evenly throughout the area because financial decision making will be taken out of people's calculation. It should include raising the Town's Beach Launching fee and instituting parking fees at Kettle Cove to match the CBSP fee.

g) Organize group and tour carry launching from CBSP only

- CBSP has the appropriate facilities for these large groups

### 3) Information Dissemination:

a) Provide Beach Launching Rules sheet with Beach Launching Permit clearly stating the 'launch and go/retrieve and leave' rules

- This will reduce tail gating on Crescent Beach

b) Install clear launching rules sign on KC Rd.

- Obviously, people are not clairvoyant and need clear instruction

c) Install clear commercial launch sign: *Active Commercial Ramp - Yield to Commercial Activity; Keep Ramp Clear at All Times; Commercial Vessel Launching or by Town Permit at Specified Times Only*

- This one sign, replacing the others, will reduce conflicts

### 4) Enforcement:

a) Use town's launching fee increase to help pay summer parking lot 'ranger'

- The Town in the 1984 Harbor Plan is supposed to provide a summer ranger to help enforce their rules, what happened to that?

b) CEPD to better patrol KC parking area, commercial launch parking area and beach launching area after hours and at night

- Let's work together on these enforcement issues

We thank the Committee for considering our recommendations. We believe that with a little give and civility from all parties, that everybody's ability to access the water will be encouraged and protected while increasing the enjoyment of the parks for everyone, including the neighbors.

Sincerely,

Ilya Fleishman

Chuck Redman

Royal Craig





## TOWN OF CAPE ELIZABETH

P.O. BOX 6260  
320 OCEAN HOUSE ROAD  
CAPE ELIZABETH, MAINE 04107-0060

MATTHEW E. STURGIS  
*Town Manager*

P: 207-799-1619  
E-Mail: [matthew.sturgis@capeelizabeth.org](mailto:matthew.sturgis@capeelizabeth.org)  
Website: [www.capeelizabeth.com](http://www.capeelizabeth.com)

Ronald Hunt  
Department of Agriculture, Conservation and Forestry  
Bureau of Parks and Lands  
22 State House Station  
Augusta, Maine 04333-0107

September 28, 2017

Dear Mr. Hunt:

This letter is written to express the Town of Cape Elizabeth's interest in pursuing a cooperative agreement with the State of Maine. The agreement would be regarding the public access point of entry at the Kettle Cove Road end of Crescent Beach.

The current access point is located on Kettle Cove Road just before the entrance to the Kettle Cove Beach entry. This access point is challenged by the difference in slope between the beach level and the street level, erosion from tidal activity, challenging site lines for entry and exit, and difficulty in turning radius for entrance.

In October of 2016 the Town of Cape Elizabeth established the Harbors Committee. One of the Committee's charges is to **"meet with state officials to determine options for boat access in the Kettle Cove/Crescent Beach State Park area and develop a long range plan for access"**. In pursuing this charge, awareness of the challenges of the non-commercial trailer launch have increased. The Town would like to explore a positive solution to the current challenge.

In attempting to understand the challenges of this launch, I met with Gary Best and Kurt Shoener on May 31, 2017. After inspecting the current trailer launch area, I inquired if there was interest at the State level for moving the launch to a better location, to which they answered yes. We understand that previously there was a launch a short distance from the current one. This location has superior topography (slope), decreased chances of erosion, superior sight lines, and superior ingress and egress for users. I am writing you to see if the State would be interested in formally pursuing a cooperative agreement with the Town to move the access point up Kettle Cove Road to the location of the prior launch. The Town would fund and manage the project. All of this would be contingent on receiving Town Council approval for expenditure of funds, and State approval of the project to be designed.

It would be the Town's desire to perform this project in the upcoming fiscal year (2019), and we would like to gauge the State's interest in the project as we will also pursue grant funding where applicable to assist in the project's cost and its improving of coastal access.

This is a great opportunity for the State and the Town to collaborate and improve a challenging situation, improve public access, improve public safety, and find a long term solution to what is a long term challenge.

I would welcome the opportunity to meet with you and discuss this concept and understand what the next steps would be to advance this process. You can call me at 799-1619 or email at [matthew.sturgis@capeelizabeth.org](mailto:matthew.sturgis@capeelizabeth.org).

Thank you in advance for considering this opportunity, and I will look forward to hearing from you.

Best regards,

A handwritten signature in blue ink that reads "Matthew E Sturgis". The signature is written in a cursive, flowing style.

Matthew E Sturgis, CMA  
Town Manager

## Steve Harding

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**From:** Jim Morra <jm99June@hotmail.com>  
**Sent:** Sunday, January 21, 2018 7:48 AM  
**To:** Steve Harding  
**Subject:** Harbors Committee public comment

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Steve,

I have attached my speaking notes from my public comments in the January 16 Harbors Committee as requested.

Best Regards,

Jim Morra

5 Waumbek Road

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.

Steve Harding

Harbors Committee

February 11, 2018

Steve,

Here is a response to your email concerning hiring of past Harbor Masters and the recent agreement with Scarborough with the shared Harbor Master.

Previous to my being named the Chief of Police the Harbor Master was a local person who conducted business with very little supervision and little documentation of transactions.

The Department then hired a Harbor Master who brought the standards into shape and started keeping logs of moorings and transactions. This was a vast improvement, however the stipend was very little and unfortunately there was no Town owned boat for the Harbor Master to utilize. This Harbor Master used his own boat if one was needed, which I believe was a risky practice.

When this Harbor Master retired another person was hired, but he did not live in Town. Again, there was no boat for the Harbor Master to use, which made things very difficult for him to complete his job.

In 2016 a contract was signed with the Town of Scarborough, which would allow us to share their Harbor Master. At that time Scarborough was in the midst of hiring a new Harbor Master and during interviews the candidates were told that they would be handling calls for Cape Elizabeth as well.

Per contract the Harbor Master was set at a threshold of about 130 hours for Cape Elizabeth with the Police Administration assisting in the paperwork duties.

Even though I don't believe we are close to the 130 hours of use it is comforting knowing we have a trained full time Harbor Master. This Harbor Master is also a certified Full Time Law Enforcement Officer with arrest powers through the Maine Criminal Justice Academy. He has access to several boats, which are always in the water during habitable parts of the year. He is fully trained in marine laws and has the contact information with others in the marine field should something serious happen in Cape Elizabeth. Lastly, Scarborough provides the Harbor Master with an equipped vehicle to respond to calls.

I feel this shared Harbor Master agreement is currently the best arrangement for Cape Elizabeth at this time. In the future should the work load become too much where Scarborough does not choose to stay in the agreement then the Town should be prepared to offer an equitable stipend along with providing a least a boat, training, equipment, and a facility to moor the boat during working months.

Sincerely,



Chief Neil R. Williams

Cape Elizabeth Police Department

Anne Carney  
21 Angell Point Road  
Cape Elizabeth, ME 04107

February 21, 2018

Dear Members of the Town of Cape Elizabeth Harbors Committee:

I write in support of the recommendations in the February 16, 2018 draft of the Town of Cape Elizabeth Harbors Committee Report. I have lived in the Angell Point Road area since 1992. I frequently walk along Kettle Cove and Crescent beaches, and am familiar with the current commercial fishing access at Boat Cove, the steep recreational access ramp off Kettle Cove Road, the historical boat launch area, and the vehicular traffic congestion that sometimes occurs. Two of my children served on the Cape Elizabeth WETeam, and have responded to commercial and recreational boating emergencies using the commercial fishing access at Boat Cove.

The Harbors Committee recommendations in section 4.4 take into consideration all of the current uses in the Kettle Cove area and provide a comprehensive plan to improve access. As a concerned citizen, I want to emphasize the importance of recommendations 2 and 6, which relate to negotiating easements that will permanently preserve public access for public safety, commercial and recreational access. My experience leading the Cape Elizabeth Land Trust's national accreditation process reinforced the importance of taking the 'long view' – taking steps today to permanently preserve land that meets important community needs.

Reliable, quick access for public safety and the WETeam is critical, in this area of commercial and intense recreational use. Given the limited launch sites appropriate for the commercial fleet, protecting Boat Cove with an easement is vital to our local economy and our community values. Improving recreational access by reviving the historical boat launch area will benefit Cape residents and visitors, by simplifying and expanding access to the shore.

All of the recommendations will improve public safety, commercial, and recreational use in the Kettle Cove area, and I strongly support this comprehensive approach. As the Town improves the current situation at Kettle Cove, I urge the Town to take the steps necessary to permanently secure the access outlined in the plan, by securing easements that protect these shore access points forever.

Sincerely,

  
Anne Carney

April 25, 2018

To:

Cape Elizabeth Harbors Committee

ATTN: Steve Harding (Clerk)

From: Harbor Master Ian Anderson

Dear Committee Members and Councilors:

I would like to voice my support of the recommendations made by the Cape Elizabeth Fishermans Alliance. In addition, I believe it to be of the utmost value that our committee be shown to have worked with the Fishermans Alliance, as they are such an integral part of the issues that are dealt with in the launch/beach parking area.

- 1. Support repair of crescent beach access road from kettle cove road, provide all obtained documentation on the project so far.*

The Crescent beach access path from Kettle Cove Road will allow easier access for our recreational boat users, as well as helping to alleviate some of the parking issues we presently face, due to providing alternative options to those with small boat trailers. Continued maintenance of this road will help to maintain the town's access to it in years to come.

- 2. Provide committee support for installation of emergency vehicle parking signage, provided by the park*

The support of the committee for this project being given to the State Park team will only help to solidify that it is the right choice. It is critical during marine search and rescue incidents that emergency crews be able to launch and begin operations as quickly as possible, and this will certainly aid in that.

- 3. Detail in the report the understood reasons that this resource is of such importance to Cape Elizabeth's local lobstermen in their day to day operations.*

I believe the committee has a special ability with their charge to be able to outline the way fishermen at Kettle Cove use, and depend upon this resource. Detailing this in the report will give the fishermen and the town something to come back to should future problems arise with access.

*4. Provide in report details and supporting paperwork for physical boundaries to waterfront access, as well as jurisdictional boundaries as they relate to enforcement and property maintenance*

The issue of boundaries and jurisdictions for the purpose of maintenance and enforcement has been a topic of conversation for the life of the committee. I agree that it is very important to document the information that has been discovered through conversations with the State Parks group as well as with Town Departments. I'm confident the committee has done a strong job of this, and the conversations have proven very worthwhile.

*5. Acknowledge the issues of overcrowding at KC State Park, and the Parks current efforts to encourage use of the adequate parking resources and newly available hand-carry launching at CB State Park.*

It is well known at this point that the parking area of Kettle Cove is very much at its max capacity in the summer months. I concur that it is important to note that efforts are being made to enforce proper usage of parking areas, and encourage those that it applies to use the resources appropriately.

In addition, I believe it to be of the utmost value that our committee be shown to have worked with the Fishermans Alliance, as they are such an integral part of the issues that are dealt with in the launch/beach parking area. As a final note, I would like to add that it has been a pleasure working with the Harbors Committee, and that I have the utmost faith in the work they've done in their time together.

Very Respectfully,

Harbor Master Ian Anderson



# Attachment E

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## Kettle Cove & Crescent Beach Deed Information

Kettle Cove State Park "Bancroft & Martin" Deed  
Crescent Beach State Park "Pride" Deed

24K 1/1

KNOW ALL MEN BY THESE PRESENTS

That BANCROFT & MARTIN INC., a corporation organized and existing under the laws of the State of Maine, with a place of business at South Portland in the County of Cumberland, State of Maine, in consideration of one dollar and other valuable consideration paid by the STATE OF MAINE, a body politic, for the use of the Maine State Park and Recreation Commission, the receipt whereof it does hereby acknowledge, does hereby give, grant, bargain, sell and convey unto the said State of Maine, its successors and assigns forever, a certain lot or parcel of land, together with the buildings thereon, situated on the southerly end of Ocean House Road at Kettle Cove, Town of Cape Elizabeth, County of Cumberland and State of Maine, and bounded and described as follows:

Beginning at an iron on the easterly side line of the terminus of Ocean House Road, said iron's location being determined as follows: Beginning at a concrete monument on the easterly side of said Ocean House Road marking the third angle southerly of Fessenden Road; thence by the easterly side of said Ocean House Road and the assumed easterly side of said road on the following courses: South eight degrees west (S 8° W) a distance of one hundred thirty-six and ninety-four hundredths (136.94) feet to an iron marking an angle point; thence south five degrees fifty-eight minutes east (S 5° 58' E) a distance of three hundred thirty-five and one tenth (335.1) feet to an iron marking an angle point; thence south four degrees one minute east (S 4° 1' E) a distance of one hundred ten and twenty-eight hundredths (110.28) feet to the iron marking the point of beginning; thence by land of the grantor herein on the following courses: South four degrees one minute east (S 4° 1' E) a distance of sixty-six and twenty-four hundredths (66.24) feet to an iron; thence south fifty-one degrees forty seven minutes west (S 51° 47' W) a distance of one hundred eighty-three and seven tenths (183.7) feet to an iron at the top of the bank; thence north eighty-nine degrees ten minutes west (N 89° 10' W) a distance of fifty (50) feet, more or less, to high water mark; thence by high

water mark northerly, westerly, northerly, easterly and northerly until intersected by a line on a course of south eighty-five degrees fifty nine minutes west (S 85° 59' W) from the iron marking the point of beginning; thence north eighty-five degrees fifty-nine minutes east (N 85° 59' E) a distance of eighty (80) feet, more or less, to the point of beginning.

The above-mentioned courses are magnetic and of the date of 1939.

Together with the right to lay, maintain and repair the water pipe line as it now exists on land of Fu-Ga-Wee, Inc. a short distance easterly of the above-described premises and said Ocean House Road and extending northerly from the branch water pipe line as it now exists and servicing the buildings on the above described premises until it hits the easterly side line of said Ocean House Road, together with the right to lay, maintain and repair said branch water pipe line as it now exists and extending easterly from the above water pipe line across land of Fu-Ga-Wee, Inc. for a distance of approximately twenty (20) feet until it hits the above-described premises.

Together with all rights which the grantor may have in the flats below high water mark adjacent to the above-described premises.

The above described premises are conveyed subject to the right-of-way of Fu-Ga-Wee, Inc., successors in interest to Long View Company, said right-of-way being reserved by Long View Company in its deed to the grantor dated December 6, 1966 and recorded in the Cumberland County Registry of Deeds in Book 2982, Page 404, and later conveyed by Long View Company to Fu-Ga-Wee, Inc. by warranty deed dated July 28, 1967 and recorded in said Registry, Book 3005, Page 327.

The above-described premises are conveyed subject also to the right of Fu-Ga-Wee, Inc., successor in interest to Long View Company, to lay, maintain and repair the drain pipe as it now exists on the above-described premises and extending westerly across said premises from the catch basin located approximately thirty (30) feet southerly of the above-described premises to the Atlantic Ocean; said right to lay, maintain and repair the drain pipe

being reserved by Long View Company in its deed to the grantor dated December 6, 1966 and recorded in the Cumberland County Registry of Deeds, Book 2982, Page 404 and later conveyed by Long View Company to Fu-Ga-Wee, Inc. by warranty deed dated July 28, 1967 and recorded in said Registry Book 3005, Page 327.

Excepting and reserving unto the Grantor, its successors and assigns, the right to remove from the above described premises and the title to the following chattels, whether so annexed to the realty as to constitute fixtures or not:

- 1-Nitrogen tunnel
- 1-Conveyor system
- 6-Infra-red Heaters and special wiring for same
- 1-Freezer storage unit
- 1-Vacuum packaging machine
- 1-Turbine pump
- 1-Tunnel and storage unit
- 1-Crane steam boiler (565,600 btu) with burner and piping
- 1-Fuel tank
- 1-circulating pump

together with the right to enter the above described premises and to remove them within sixty days from the date of this deed, provided that if the foregoing chattels are not removed from the above described premises on or before sixty days from the date of this deed they shall be and remain the property of the Grantee, its successors and assigns.

This conveyance is made subject to the rights, if any, which fishermen may have acquired to cross the above-described premises.

... TO HAVE AND TO HOLD the aforegranted and bargained premises with all the privileges and appurtenances thereof, to the said State of Maine, its successors and assigns, to its and their use and behoof forever.

And the said Bancroft & Martin Inc. does hereby covenant with the said State of Maine, its successors and assigns, that it is lawfully seized in fee of the premises, that they are free of all incumbrances except as aforesaid; that it has good right to sell and convey the same to the said

Grantee to hold as aforesaid; and that it and its successors shall and will warrant and defend the same to the said Grantee, its successors and assigns forever, against the lawful claims and demands of all persons, except as aforesaid.

IN WITNESS WHEREOF, the said Bancroft & Martin Inc. has caused this instrument to be sealed with its corporate seal and signed in its corporate name by WILLIAM D. ROADS its TREASURER, thereunto duly authorized, this 20<sup>th</sup> day of September in the year one thousand nine hundred and sixty-eight.

Signed, Sealed and Delivered

in presence of

Charles A. Knudson

By William



State of Maine

Cumberland, ss

September 20, 1968

Personally appeared the above named WILLIAM D. ROADS, TREASURER of said Bancroft & Martin Inc. as aforesaid, and acknowledged the foregoing instrument to be his free act and deed in his said capacity, and the free act and deed of said corporation.

Before me,

Charles A. Knudson  
notary public



REGISTRY OF DEEDS, CUMBERLAND COUNTY, MAINE

SEP 20 1968

Received at 4:20 PM and recorded in

BOOK 3058 PAGE 199 Marjorie & Helen White Register

# Know All Men by these Presents,

**That** I, EVA PRIDE of Torrington in the County of Litchfield and State of Connecticut

in consideration of One Dollar (\$1.00) and other valuable considerations

paid by STATE OF MAINE



~~xxxxxxx~~  
the receipt whereof I do hereby acknowledge, do hereby give, grant, bargain, sell and convey, unto the said State of Maine ~~xxxxxxxxxxxxxxxx~~ its successors and assigns, forever

~~xxxxxxx and xxxxxxxx xxxxxxxx~~



the following described property:

A certain lot or parcel of land situated on the westerly side of Ocean House Road in the Town of Cape Elizabeth in the County of Cumberland and State of Maine, and bounded and described as follows:



Beginning at an iron on the westerly side of Ocean House Road marking the southeasterly corner of the lot of land conveyed by Elmer A. Woodside to the State of Maine by deed dated July 28, 1960 and recorded in Cumberland County Registry of Deeds in Book 2555, Page 100; thence by said State of Maine land conveyed by said Woodside N 70° 13' W two hundred twenty-three and thirty hundredths (223.30) feet to a point; thence by other land of the State of Maine conveyed by John R. Coker et al by deed dated September 14, 1960 and recorded in said Registry of Deeds in Book 2563, Page 69, on the following described courses: N 70° 13' W one hundred fifty-five and thirty-one hundredths (155.31) feet to a stake; thence S 28° 42' W two hundred eight and fifty hundredths (208.50) feet to an iron and the beach line of Crescent Beach; thence by said beach line S 46° 18' E four hundred fifty-seven and ten hundredths (457.10) feet to an iron; thence N 65° 25' E fifty and forty hundredths (50.40) feet to an iron and the westerly side of said Ocean House Road; thence by said Ocean House Road on the following described courses: N 8° 00' E one hundred seven and forty-seven hundredths (107.47) feet to an angle point; thence N 14° 58' E one hundred ninety-eight and no hundredths (198.00) feet to an angle point; thence N 13° 58' E fifty-one and forty-five hundredths (51.45) feet to the point of beginning.



Together with all my right, title and interest, if any, to the shore, beach and flats to low water mark of the Atlantic Ocean.

Said above described courses are magnetic and of the year 1939. Said above described lot being the same premises conveyed to me by Florence E. Fellows by deed dated April 25, 1939, recorded in said Registry of Deeds in Book 1580, Page 175, and by deed dated December 17, 1947, recorded in said Registry of Deeds in Book 1897, Page 361.

To have and to hold the aforegranted and bargained premises,  
with all privileges and appurtenances thereof to the said  
State of Maine, its successors and assigns,

~~Heirs and Assigns~~ and their use and behoof  
~~and their heirs and assigns~~  
forever.

And I do covenant with the said Grantee, its successors  
and Assigns ~~and Assigns~~ that I am lawfully seized in fee of the premises;  
~~that they are free of all incumbrances;~~  
that they are free of all incumbrances;

that I have good right to sell and convey the same to the said  
Grantee to hold as aforesaid; and that I and my Heirs, shall  
and will Warrant and Defend the same to the said Grantee,  
its successors and assigns,

~~that I will defend the same~~, against the lawful claims and demands  
of all persons.





# Attachment F

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## Maine Municipal Harbor Management

Case Studies in Adaptive Resource Management

Madison Whatley, University of New England, B.A. Marine Affairs, 2017

Marine Affairs Capstone course, Prof. Susan Farady, spring 2017

### Maine Municipal Harbor Management: Case Studies in Adaptive Resource Management

My senior marine capstone project focused on how to make decisions in natural resource management based on the textbook used in class, using the Cape Elizabeth Harbors Committee's work as a case study. Because Cape Elizabeth's process was still in the early stages by the time my class was over, I also looked at the Town of Brunswick, Maine as my other case study. This document is intended to accompany the Powerpoint presentation I gave at the Committee's April 27, 2017 meeting.

### Background

The Town of Cape Elizabeth started off in 1529 as a nameless headland. It wasn't incorporated until 1765. By the 1800s the town started to grow, establishing a larger population. Just 35 years later, there was already a higher demand on the area from a wide range of users. From 1920 to 1950 there was a slow suburbanization which brought many changes. With these changes followed a rapid growth period from 1950 to 1970. The population doubled in just 20 years before tapering off again. Without a solid plan already put in place to accommodate the rapid growth of the area, Cape Elizabeth decided on the need for a Comprehensive Plan in 1987. The Comprehensive Plan was successfully released a year later in 1988. The next plan put in place was the 2005 Coastal Waters and Harbor Ordinance. It was created to establish regulations for the increased marine activities within the harbors, waterways and tidal waters. Two years later, the Comprehensive Plan was produced to preserve the Town of Cape Elizabeth as a highly desirable community through the change. With 30 years passing since the last major review of Cape Elizabeth's coastal waters resources, the 2016 Harbors Committee was created and released the Harbors Committee Charge. Many components of the Comprehensive Plan of 1988 still stand true today, but some don't. With the needs of Cape Elizabeth changing, it's an opportune time to review issues relating to its harbors.

### Decision Making in Natural Resource Management: A Structured Adaptive Approach

Throughout my Marine Affairs Capstone class, we discussed marine resource management. We used Michael J. Conroy and James T. Peterson's text, "Decision Making in Natural Resource Management: A Structured, Adaptive Approach (Wiley-Blackwell, 2013)." The text explained how to go about making decisions for natural resources.

The authors discussed the steps that go into good decision making. The first step is the importance of defining the decision problem early on in the process. They advise that one should make the decision problem a concise statement so that it's more efficient. The text included a diagram that connects the decision problem to the resource state and objective. For clarification, resource state is

some measurable conditions of nature (population, abundance etc.) The objective is the specific, quantifiable outcomes that reflect the values of decision makers and stakeholders. They relate directly to the management decisions. According to the diagram, the decisions are thought to influence the resource state in one way or another in order to achieve the objective.

### Fundamental and Mean Objectives

Their next step is to then determine the objectives. The text splits the objectives into fundamental objectives and mean objectives. Fundamental objectives are the things that a decision maker truly values and wants to achieve. To separate the fundamental objectives from the mean objectives, the question asked is “why is that important?” Mean objectives on the other hand, are a means to achieving those fundamental objectives. To separate the mean objectives from the fundamental, one asks “how do we accomplish that?”

### Stakeholder Involvement

To assist with the decision making process and objectives, the authors discuss the importance of stakeholder involvement. In most scenarios, it’s important to include a wide range of stakeholders. When thinking about who to include, there are many types of stakeholders. Some examples include: consumers, non-governmental organizations, political, natural resource management agencies, etc. When thinking about how to include these multiple stakeholders it’s helpful to consider the governance system. Governance defines the way stakeholders interact in the process. Some examples talked about in the text include autocratic, democratic, and consensus decision making.

### Case Study: The Town of Brunswick

Since I won’t be able to see Cape Elizabeth’s process come to an end in December, I looked at Brunswick, Maine as a second case study. The Town of Brunswick has already gone through a similar process with their Harbor Management Plan in 2014. It could be helpful to Cape Elizabeth to learn from the successes and failures of Brunswick’s Harbor Management Plan.

Brunswick is a coastal community, nearly all surrounded by water. Over the years, the town had seen a significant growth in interest and use of Town waters. Because of this, access to the water was a critical issue. As coastal development continued to increase, traditional access points tended to be closed or restricted. This placed additional pressure on existing public access points, and on the users desiring access. This sparked the need for the Harbor Management Plan.

### Brunswick’s Plan

The Town issued a Request for Proposals in January 2013 for consultants to work with the Town to develop a Harbor Management Plan. The two consultant groups worked with the Town staff,

stakeholders, citizens and other groups to develop a Harbor Management Plan. The next year, in 2014, the Plan was released.

### Project Approach

Brunswick's plan was split into 5 major components.

- **Inventory**
- Mapping
- **Primary goals**
- **Harbor and waterfront objectives**
- Harbor ordinance updates

The most important parts to consider are the inventory process and separation between primary goals and harbor waterfront objectives.

### Step 1: Inventory

First step was inventory, which served to identify and document existing conditions and uses of Brunswick's coastal and river waters, and land use near the coastline. To accomplish this, they reviewed numerous existing reports, worked with the Town to complete a GPS survey (Town's moorings, access points, etc.), and gathered the input of stakeholders.

### Stakeholder Involvement

Brunswick's plan included the importance of stakeholder involvement in the decision making process. They decided to include stakeholders through 3 public forums and surveys. The public forums allowed for public input, review of the plan and inventory progress. The surveys were handed out at the public forums and put online to gather the opinions of stakeholders. This information was used to determine the primary goals and harbor and waterfront objectives.

### Step 2: Primary Goals

Brunswick's plan separated the goals from the objectives. This separation and additional step allowed for clearer objectives. For their plan, the broad goal was improved harbor management. To support the broad goal, they came up with four primary goals:

1. Coordinate Harbor & Waterfront Efforts with Town & Regional Programs
2. Balance Shared Uses of Brunswick's Waterfront

3. Pursue a Sustainable Waterfront

4. Manage, Promote, and Preserve Brunswick's Coastal and River Environment

### Step 3: Harbor and Waterfront Objectives

With these goals, they were able to determine and organize their objectives. Since they were working with multiple objectives, they ranked them in terms of priority based on a 10 year projected implementation timeframe. These are the following categories:

- Ongoing
- 1-3 Year (2014-2017)
- 1-5 Year (2014-2019)
- 1-10 Year (2014-2024)

The objectives were then split into categories such as waterfront access, preserve working waterfront, harbor ordinance updates, etc. Within each of these categories, specific goals and recommendations were discussed.

### Response to Climate Change

Brunswick included a climate change section at the end of their plan. While there is still much debate over the cause and nature of climate change, the effects are undeniable and must be dealt with.

Coastal communities are more vulnerable to the effects of climate change. They may experience sea level rise and coastal erosion, if they haven't already. It can ruin the infrastructure and coastal properties, and cause more issues for the Town. The Town of Brunswick addressed coastal erosion by suggesting the use of soft approaches that limit the impacts to coastal resources. They also included a plan for sea level rise. They suggested a long term plan that should include sea level rise projections into town planning efforts and update local ordinances and open space priorities appropriately.

### Summary

Cape Elizabeth's Harbor Committee could benefit from considering some of the natural resource management concepts I studied as well as some of the experiences of Brunswick, Maine in reviewing their harbor and waterfront management.

Specifically:

1. It is important to clearly define the decision problem and objectives early in the process.

2. It can be helpful to separate fundamental vs. mean objectives
3. Consider using diagrams to illustrate the decision making process.
4. It can be helpful to rank objectives by timeframe as Brunswick did.
5. Stakeholder engagement is important throughout the process, and using different ways to engage stakeholders, such as Brunswick's use of an online survey.
6. The impacts of climate change on a coastal community could be considered, such as Brunswick did.

References:

Baker Design Consultants. Town of Brunswick, Maine Harbor Management Plan (2014).

Coggeshall, Bruce., Cummings, Gary., Hall, Richard., Jordan, William., Kerney, James., LaTorre, Frank., Maxwell, John., Skolfield, Thomas., Tinsman, Douglas. Cape Elizabeth, Maine Harbor Advisory Committee Final Report (1988).

Peterson, James T., Conroy, Michael J. Decision Making in Natural Resource Management: A Structured, Adaptive Approach. (Wiley-Blackwell, 2013).

Town of Cape Elizabeth Coastal Waters and Harbor Ordinance, 2005.

Town of Cape Elizabeth Comprehensive Plan, 2007.

Town of Cape Elizabeth Harbors Committee materials, 2016 and 2017.

Town of Cape Elizabeth website, History <http://www.capeelizabeth.com/home/about/history.html>.

# **Attachment G**

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## **Comprehensive Plan Draft Marine Resources Section**

## MARINE RESOURCES

### Introduction

The Town of Cape Elizabeth is surrounded on two sides by the Atlantic Ocean which begins at the Town's northeast municipal boundary with the City of South Portland and extends along the Town's easterly and southerly coastline terminating at the Spurwink River which represents the Town's westerly municipal boundary with the Town of Scarborough.

The residents of Cape Elizabeth truly value their shoreline activities and many consider their accessibility to the Town's marine resources an important element of their inhabitation within Cape Elizabeth. A wide variety of users enjoy these natural resources through relatively passive activities such as picnicking, sunbathing, and sightseeing to more strenuous activities such as walking, swimming, kayaking, paddle boarding/sailboarding, surfing, and scuba diving. This resource is also used for recreational boating and fishing while being essential to the livelihood of the Town's commercial fishing and aquaculture industry.

Tourism is also an essential element of the Cape Elizabeth shoreline. The Town owns and maintains Fort Williams Park which with its approximately 5,700 feet of coastline access and an iconic lighthouse is a destination for residents and visitors alike. This 96-acre property located off Shore Road in the northeast quadrant of the Town is a former military installation which was sold to the Town in 1964 and later designated as Fort Williams Park in 1979 by the Town Council. In addition to sightseeing, historical points of interest, and picnicking opportunities, the park features various recreational opportunities through walking trails and open play and ball fields, playgrounds, and a rocky beach.

### Coastline Inventory

A majority of the coastal properties in Cape Elizabeth are high value residential lands held by private landowners. The remainder of the coastal areas are controlled by various entities including the federal government, the State of Maine, the Cape Elizabeth Land Trust, and the Town of Cape Elizabeth. These public entities cooperate with the Town's residents to maintain their facilities and provide opportunities for the public to readily enjoy shoreline activities.

The federal government through the U.S Coast Guard controls the access to the ocean from the lands associated with Dyer Cove at its facility at the end of Two Lights Road in the southeastern portion of the Town. The Coast Guard allows the public to access the rocky beach via a gravel parking lot beyond the paved roadway. The beach area is generally used for sightseeing, scuba diving, paddle boarding, and kayaking. Although there was historical use of a past mooring use here, the cove is exposed, frequently choppy, and subject to strong coastal current and does not represent a viable opportunity for mooring use.

The State of Maine owns and operates three state parks within the Town limits. These three parks are in close proximity to one another and are currently managed by one person. Two Lights State Park encompasses approximately 42 acres with approximately 2,200 linear feet of coastline. This park opened in 1961 and features a rocky coastline with sweeping views of ships entering the Portland harbor and the Atlantic Ocean. The park offers a network of paths crossing through forested lands and along seaside rock ledges. Popular activities include walking, sightseeing, picnicking, and sunbathing.



The State of Maine's other two parks are located in the southwestern portion of the Town and are intricately connected. Kettle Cove State Park encompasses approximately 67 acres of coastal area with approximately 4,400 linear feet of shoreline. This park is accessed from Kettle Cove Road and includes a 67+/- space paved parking lot for users of the park. The park features public beach access and commercial boat launches, a sandy beach area, and supports a variety of coastal activities and wildlife habitat. Despite its open exposure and often rough seas, a large mooring field is positioned here. The Town's commercial fishing fleet and the Town's Water Extraction Team (WETeam) also use Boat Cove within the State park limits for boat launching in marine emergency response situations.

Crescent Beach State Park was opened in 1966 and includes approximately 212 acres. As part of the 212 acres, the State leases approximately 100 acres from the adjacent Sprague Corporation. This park area is accessed publicly from its main entrance to its ample parking area off of Bowery Beach Road (Route 77). Beachgoers frequent the beach area and recreational boat and other marine related recreational equipment can be launched from this beach area as well. The park's sandy beach extends approximately 4,400 linear feet in a crescent shape that connects to the east with Kettle Cove State Park lands. In addition to picnicking, sunbathing and swimming, the park offers walking trails and opportunities for fishing, kayaking, and paddle boarding/sailboarding.

Another entity with control along the Cape Elizabeth shoreline is the Cape Elizabeth Land Trust (CELT). The CELT operates independently from the Town of Cape Elizabeth and its lands are open to the public. CELT properties may also contain additional restrictions associated with their use depending on the specific terms agreed upon during the property acquisition process.

A key property within CELT's landholdings is Trundy Point which is less than a two acre property area located within the southeast portion of the Town and contains approximately 1,300 feet of coastline. Parking for this land area is along nearby Reef Road, but this area is most frequently visited by the neighborhood residents by foot. CELT also controls a 1.25 acre area along Pond Cove and is accessed from Shore Road and encompasses approximately 300 feet of rocky shoreline. Parking is available on the inland side of Shore Road near the CELT owned inland property known as Robinson Woods. A short CELT trail starts at Shore Road and then leads onto the rocky beach at Pond Cove.

Beyond the very popular and heavily visited Fort Williams Park, the Town actually owns very limited landholdings with very little coastline access under its control. Cliff House Beach is a one quarter of an acre property and is located in the northeast quadrant in the Town on Danforth Cove that includes a rocky beach of about 200 feet in length. The area can be accessed on foot by people in the nearby neighborhoods or from vehicles parking alongside the road. The Town also owns substantial land areas alongside the Spurwink River which is tidally influenced, but the Town's land rights do not actually extend to the Atlantic Ocean.

#### High Value Plant and Animal Habitat

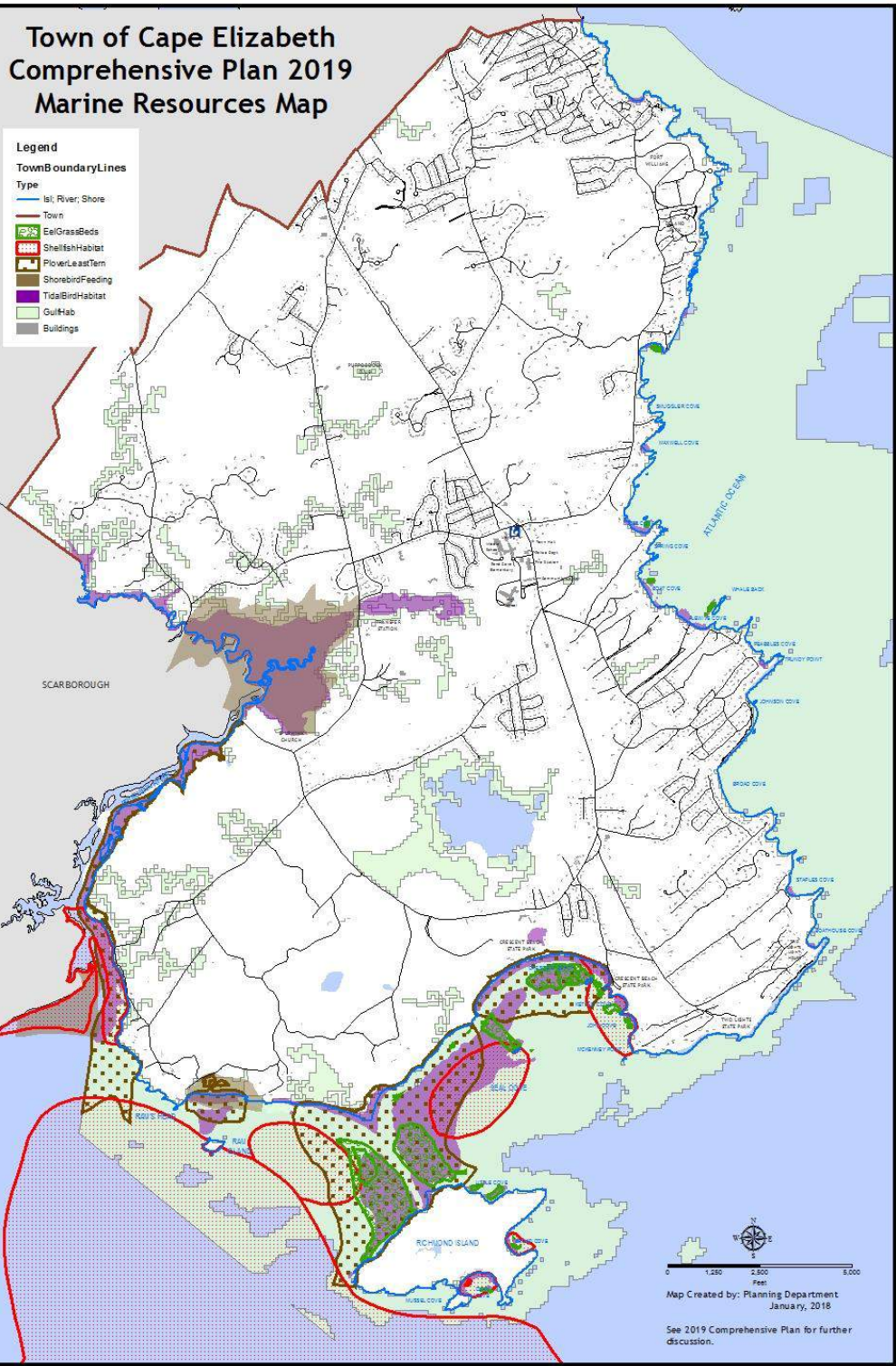
According to the Maine Department of Inland Fisheries & Wildlife provided mapping, the shoreline of Cape Elizabeth offers high value plant and animal habitat. Beginning in the northern portion of the Town at Danforth Cove and then along the shoreline of Fort Williams Park is located habitat for Harlequin Duck which is a threatened species. Fort Williams Park also offers habitat for the endangered New England Cottontail Rabbit.

Moving further to the south beyond Broad Cove, past Trundy Point and around Dyer Cove, and then along the southern shoreline associated with Two Lights State Park and Kettle Cove State Park are areas of habitat for Harlequin Duck and large swaths of the New England Cottontail Rabbit habitat.

Once along the coastline of Crescent Beach on the southerly shore, shorebird habitat extends for the endangered Piping Plover. A Pitch Pine Dune Woodland natural community is located westerly of the Crescent Beach State park parking lot. Further to the west extending toward the Spurwink River are Dune Grassland natural communities, additional Piping Plover habitat, and a pocket of habitat for the endangered Beach Plum species.

There is limited activity for shellfish harvesting along the coastal areas associated with the Spurwink River, however, most of these activities predominately occur on the Town of Scarborough side of the river. There is very little private or public development near the areas associated with this shellfish harvesting, so development activities currently do not impact this area, nor is it anticipated to be a factor in the future as any potential development in these areas would be closely regulated by both the municipalities of Scarborough and Cape Elizabeth.

Clearly, the shoreline of Cape Elizabeth particularly in the southwesterly area offers essential habitat of considerable value. Contributing to the ability of these habitats to thrive is the sparse development in this portion of Town and the Town's stringent wetland and coastline zoning which further protects plant and animal habitats from impacts of development. The Town's municipal Shoreland Zoning regulations have been found consistent by the Maine Department of Environmental Protection (DEP) with the state mandatory shoreland zoning regulations and the local wetland regulations are considered a model for local level resource protection.



### Boat Access

The Town has had a longtime tradition of commercial fishing which is focused at Kettle Cove and Crescent Beach in the southwesterly portion of the Town. Recreational activities such as boating and fishing along with paddle boarding, kayaking, swimming, sunbathing, and scuba diving are also major uses of the Town's marine resources which often complement, but sometimes compete for marine resources, with the Town's commercial fishing and aquaculture industry.

The Town of Cape Elizabeth does not contain any structural wharfs or piers to host marinas or launch boats. Additionally, there are no formal channels associated with the Cape Elizabeth coastline or harbors so there is no need for dredging in the waters of Cape Elizabeth. Commercial fishermen have historically held moorings at Kettle Cove, but some commercial fishermen also hold moorings off Crescent Beach. Moorings along the coves on the eastern shore are exclusively recreational and a majority are accessed from nearby private properties.

Currently, the Town conducts the administrative duties of the Harbormaster position through its staff within the Police Department and provides a Harbormaster presence on the water by sharing its Harbormaster with the adjacent Town of Scarborough. While the Town of Scarborough employs the bulk of the Harbormaster's time, this arrangement allows for the Town of Cape Elizabeth to have a certified enforcement officer with full arrest powers through the Maine Criminal Justice Academy. The Harbormaster has access to several boats and being well-versed in marine law is able to respond appropriately to possible criminal and emergency situations. The Town of Scarborough also provides the Harbormaster with an equipped response vehicle that can be used on calls in Cape Elizabeth.

By staffing the current Harbormaster position in this fashion, the Town has greatly improved both the functionality and the professionalism of the Harbormaster role. Past Harbormasters were not formally trained in law enforcement and were required to use their own boats to conduct their work. Further, past Harbormasters operated with little supervision and provided very little documentation of their activities. By elevating the Harbormaster position to a higher level, the Town now has greater control of the ongoing harbor activities and is in a much better position to respond to issues as they occur.

The Town of Cape Elizabeth administers moorings with its Police Department and its part-time Harbormaster. According to Town records, there were 59 registered moorings in 2017. By comparison, the 2007 Comprehensive Plan listed 104 registered moorings in 2006. The registered moorings generated \$3,000 in revenue in 2017. Mooring revenue over the past five-year period has averaged \$3,260 annually a low of \$2,250 in 2015 and a high of \$5,100 in 2016. The variation in revenue is likely due to fluctuations in the actual year in which mooring fees were collected versus variations in the actual number of moorings. The number of moorings by location were as follows:

### Cape Elizabeth Moorings by Location

LOCATION	2017 MOORINGS	2006 MOORINGS	CHANGE
Alewife Cove	3	7	-4
Broad Cove	1	1	0
Cliff House Beach	3	3	0
Crescent Beach	14	32	-18
Kettle Cove	13	15	-2
Maiden Cove	10	19	-9
Ram Island	1	1	0
Staples Cove	5	9	-4
Pond Cove	1	1	0
Trundy Point	3	10	-7
Zeb Cove	5	6	-1
<b>TOTAL</b>	59	104	-45

*Source: Cape Elizabeth Police Department*

The number of moorings appears to have been significantly reduced over the past decade. There are a number of factors which may be involved with this situation. According to the Town's Police Department, Maiden Cove is the only cove in Town with a mooring waiting list, currently at five. Rather than this location being less popular for moorings, it is likely that the cove was historically too crowded so fewer moorings are now allowed. Likewise, the Crescent Beach area was once considered to be over-crowded so a reduction of moorings allowed in this location is also entirely likely.

Many recreational mooring locations are accessed entirely by nearby private residential properties. Therefore, the replacement use of these moorings is restricted from the overall general public due to accessibility limitations. So when past moorings are released, they can only be reactivated by people with access to the cove which may not readily occur.

Other possible theories for the reduction in moorings include that some moorings in the past may not have been actually in use, but had been continually carried on the mooring location list. Another possibility is that the past documentation was not accurately kept which has led to some discrepancies. Now that the Harbormaster position has been elevated, and Police Department is now actively involved in the record keeping process, the mooring information will be much more reliable in the future.

The Town also administers Beach Permits through its Police Department and offers day, pleasure, and commercial passes to the Kettle Cove/Crescent Beach area where boats and other marine equipment can be launched. Day permits with a fee of \$5 are issued to non-residents and seasonal pleasure permits with a cost of \$25 are issued to residents. Pleasure permits and commercial permits are free to those that have moorings as this is the area where all of the Town commercial fishing fleet is moored. For those without moorings, commercial permits are issued with a fee of \$25 for a resident and \$60 for a non-resident.

As can be seen in the permit table below, the number of commercial permits is down 20 from its decade high peak in 2010, but exactly the same as when the last Comprehensive Plan reporting was done in 2005. Meanwhile, the number of day passes has remained relatively stable over this period. The number of pleasure permits have risen dramatically over the past two years, however, so the total number of passes issued for the 2016 and 2017 years are 20% higher than the next highest level over the past 10 years and 16% higher than was reported in 2005.

**Kettle Cove/Crescent Beach Permits 2005-2017**

YEAR	DAY	PLEASURE	COMMERCIAL	TOTAL
2005 (from CP)	31	55	24	110
2007	29	45	23	97
2008	29	41	27	97
2009	23	16	34	73
2010	30	15	44	89
2011	35	49	24	108
2012	27	48	21	96
2013	31	56	21	108
2014	22	52	17	91
2015	27	54	17	98
2016	26	76	25	127
2017	27	78	24	129

*Source: Cape Elizabeth Police Department*

It appears that the day passes have remained relatively stable throughout the years, however, the number of pleasure and commercial permits have fluctuated. During the period of the economic recession years of 2009 and 2010, it is reasonable that the pleasure permits would have dropped significantly to reflect the times. Now that the economy has improved, the number of pleasure permits has risen accordingly.

The number of commercial permits have varied, but are at the same level as in 2005. The fluctuations may be associated with fishermen using the Portland Harbor as a base and the changing conditions of the local fishing industry in southern Maine. Regardless, it appears that the Town of Cape Elizabeth's commercial fishing fleet continues to be sustainable.

Commercial Fishing

**TABLE IS PLACEHOLDER- Awaiting updated information from State**

The State of Maine, Department of Marine Resources, reports that 6 commercial fishing vessels are registered in Cape Elizabeth, ranging in size from 16' to 38' in length. [Awaiting updated data from DMR]. The data shows that Cape Elizabeth continues to support a small, commercial fishing fleet focused primarily on lobster fishing.

	<b>CAPE ELIZABETH</b>
Commercial Fishing Crew (CFC)	2
Commercial Fishing Single (CFS)	
Lobster/Crab Class 1 (LC1)	4
Lobster/Crab Non Commercial (LNC)	
Lobster/Crab student (LCS)	
PASS LOB/CRAB CLASS 3 (PLC3)	
PASS URCHIN DRAGGER (PSUB)	
Recreational Saltwater Fishing Operator (SWRO)	
Scallop Dragger (SD)	
Sea Urchin Dragger (SUB)	
Sea Urchin with Tender (SUWT)	
<b>Grand Total</b>	<b>6</b>

*Source: State of Maine, Department of Marine Resources*

The Maine Department of Marine Resources has historically tracked marine licensure information for various communities throughout the State. A review of the changes in licensure levels from 2005 to 2016 indicated that the total number of permits have remained essentially steady, however, there was a noticeable drop in commercial licenses which has been primarily offset by an increase in non-commercial marine related licenses.

**Marine Fish and Shellfish Licenses 2016 and 2005**

<b>TYPE OF LICENSE</b>	<b>2016</b>	<b>2005</b>	<b>CHANGE</b>
Commercial Fishing Crew (CFC)	8	8	0
Commercial Fishing Single (CFS)	6	2	4
Commercial Shellfish (CS)	1	0	1
Commercial Shellfish Under 18 (CSU)	1		1
Elver Dip Net (EO)	1		1
Lobster/Crab +70 (LCO)	1	6	-5
Lobster/Crab Apprentice (LA)	1	1	0
Lobster/Crab Class 1 (LC1)	19	20	-1
Lobster/Crab Class 2 (LC2)	16	28	-12
Lobster/Crab Class 2 +70 (LC2O)	1		1
Lobster/Crab Class 3 (LC3)	8	6	2
Lobster/Crab Non Commercial (LNC)	44	35	13
Lobster/Crab student (LCS)	6	14	-8
Recreational Saltwater Fishing Operator (SWRO)	2		2
Recreational Saltwater Registry (SWR)	3		3
Scallop Diver with Tender (SDT)	1	1	0
Scallop Dragger (SD)	2	3	-1
Scallop Non Commercial (NCS)	1	3	-2
Seaweed (SW)	3	1	2
<b>TOTAL</b>	<b>125</b>	<b>128</b>	<b>-3</b>

*Source: State of Maine, Department of Marine Resources*

The regulations currently in place makes it difficult to gain a new Lobster/Crab license with the limited entry system restrictions in both of the two zones that straddle Cape Elizabeth. It should be noted that the current regulatory system also incentivizes the student entry process by making it difficult to gain a new license. While the number of student licenses has decreased in Cape Elizabeth, this reduction may be due to cultural trends which tend to diminish the younger generations from entering the commercial fishing industry and the Town's lack of a pier which other communities use to develop and foster the sustainability of their commercial fleet. While the drop in commercial licenses is a trend that is reflective across nearby states, Cape Elizabeth has been able to sustain a working waterfront.

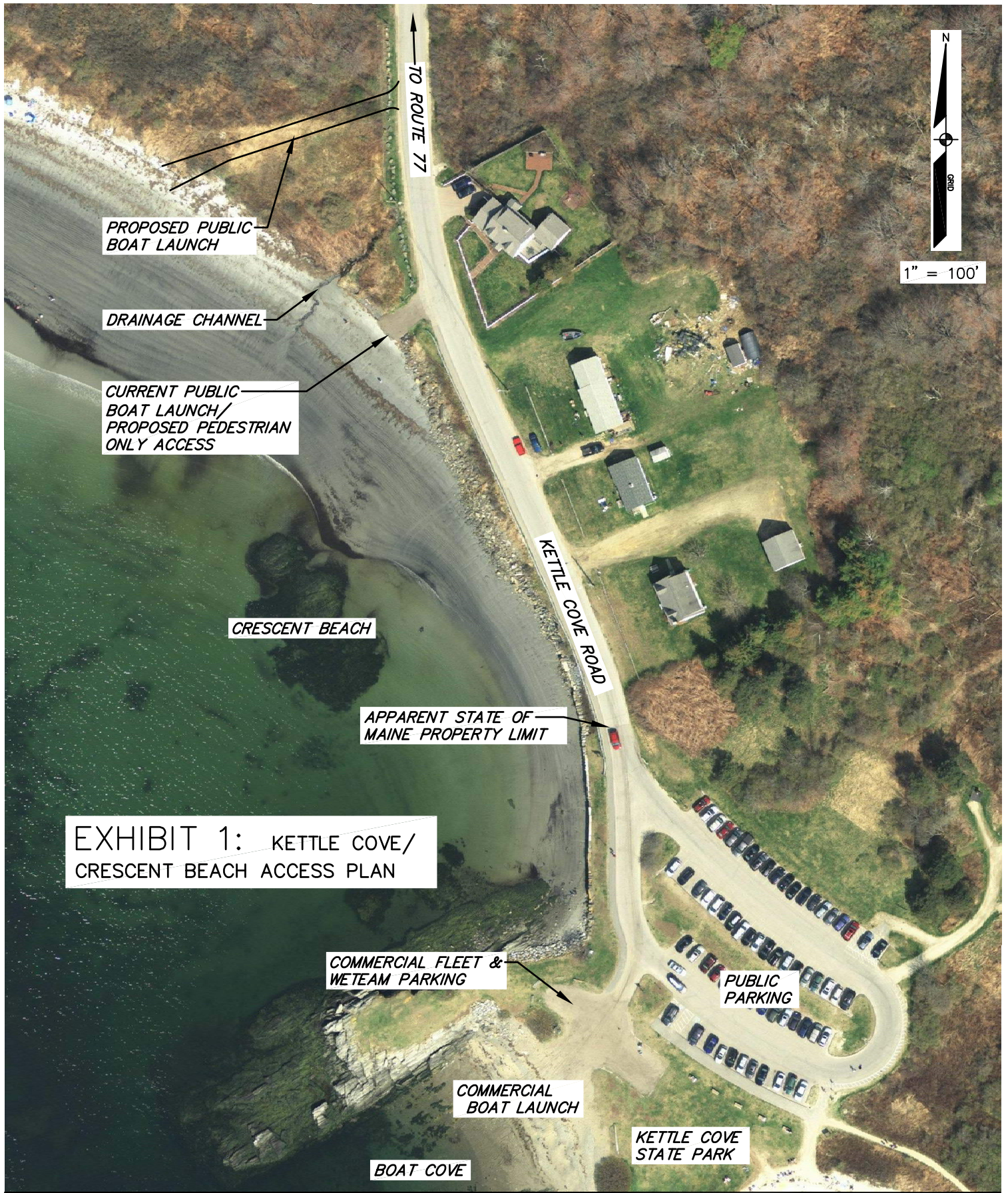


## **Kettle Cove/Crescent Beach Boat Access**

### Existing Conditions

The Kettle Cove/Crescent Beach area is the one coastline harbor area within Cape Elizabeth that currently needs solutions as it represents an ongoing challenge of varying commercial and recreational uses, State of Maine and local jurisdictional boundaries and responsibilities, and often conflicting neighborhood residential interests. These challenges are compounded by the natural conditions and physical space limitations of the area as well as the overall growing popularity of the area among its users, particularly during the summer months.

*Please refer to the following Exhibit 1, Kettle Cove/Crescent Beach Access Plan, which depicts the existing conditions of the Kettle Cove area and proposed improvements.*



**EXHIBIT 1: KETTLE COVE/  
CRESCENT BEACH ACCESS PLAN**



In 2017, the Cape Elizabeth Town Council created the Harbors Committee which is an ad hoc committee organized to investigate among other charges, solutions to the functional situation in the Kettle Cove/Crescent Beach area. One of the main issues that the Harbors Committee studied is the limited area available for commercial fishermen to use the boat launch area of Boat Cove which is within the Kettle Cove State Park property controlled by the State of Maine. While the State prioritizes the exclusive use of this boat launch area to the commercial fleet and the Town's WETeam, recreational users sometimes encroach upon this area which creates operational and safety issues diminishing the functional ability of the intended users of the launch to effectively use this area.

The Commercial fleet relies on this launch area to gain access to the ocean to not only launch boats, but also to transfer gear and bring in their catch to transport to markets. While limited use of the nearby sandy beach area of Kettle Cove is sometimes made by commercial fishermen at non-peak periods of recreational use of the beach, these instances are rare and the nearby beach is not a suitable or reliable option for the commercial fleet.

Likewise, the Town of Cape Elizabeth WETeam relies on Boat Cove as its only suitable launch site in Cape Elizabeth. While the WETeam can use the nearby sandy beach area of Kettle Cove under ideal situations, the Boat Cove launch site is the only reliable area for the WETeam's use due to limitations often created by tide and surf conditions. The restricted gravel parking area of Boat Cove along with its limited suitable launch area further exacerbate any recreational use of these facilities.

Another issue related to the Kettle Cove/Crescent Beach area is the conditions related to the launch area promoted for the public. This public access is currently located along a narrow gap between two portions of the Crescent Beach landholdings by the State of Maine. It is located to the north of the State's Kettle Cove Parking Lot and is accessed by a gap in the boulders which line the west side of Kettle Cove Road.

The relatively steep public use ramp is maintained by the Town and often requires the replacement of gravel caused by the loss of material to wave action due to the ramp's open exposure to the ocean. The launch's proximity to residences across Kettle Cove Road often creates conflicts with the neighborhood residents when users prolong the unloading of equipment and the launching of recreational crafts or use the launch area inappropriately.

Further, an open drainage course which crosses the beach area nearby to the northwest of the launch site often temporarily erodes a channel which cannot be passed over by most recreational vehicles. This situation creates a very restricted area near the launch site for users and prevents the access of the much wider and protected sections of Crescent Beach to the west.

#### State and Local Interaction

Town of Cape Elizabeth and the State of Maine Park Staff enjoy a cooperative and mutually beneficial relationship. The State provides personnel during the busy summer time periods to prioritize the commercial use of Boat Cove within Kettle Cove State Park and actively works with the Town's commercial fishing fleet to address issues that may arise. Likewise, the Town's Police Department provides security during park off-hours and immediately responds to the State's requests for assistance during incidences that occur during the park's operational hours.

The State's current directive for users of the Crescent Beach/Kettle Cove area is to park at Crescent Beach State Park parking lot which has ample space and is less than a two mile drive from the limited 67+/- space Kettle Cove paved parking lot. The State also actively directs organized groups to meet and park at Crescent Beach rather than contribute to the congestion at Kettle Cove. In doing so, it is believed that future access to the non-commercial users of Crescent Beach would be reduced and allow the commercial users more exclusive use of Boat Cove.

The State Park Staff follow the State's overall guiding document of an Integrated Resource Policy for all of its State parks. This policy focuses on the preservation of the human experience of the parks that they operate as well as promotes the obligation to protect wildlife and their natural habitat from human intervention. For the Kettle Cove State Park, the New England Cottontail and the federally protected Piping Plover species are prioritized and the State actively manages a grasslands policy in the park to protect species that rely on that habitat. Therefore, despite the appearance of ample land to do so, the State is not planning on expanding the parking lot capacity at Kettle Cove to promote more convenient visitor use. The Town understands and supports this policy.

It would be beneficial if the State of Maine would readily share their policies for the operations of their State Park within the Town and their strategies for protecting essential wildlife and plant habitats and the human enjoyment of the parks' resources. In doing so, the Town and the public would be educated as to the parks' management approach and be better suited to both assist in the State's objectives as well as be able to share constructive comments on factors that could compromise these goals.

#### Potential Improvements

The April 2018 Harbors Committee Report to the Town Council, the local Cape Elizabeth Fishermen's Alliance (CEFA), and residents of the Town have proposed a relocation of the existing Town public beach access to a historical boat launching area further to the northwest off of Kettle Cove Road. The use of the boat launch was curtailed many years ago due to its improper activities and access to the area is now currently restricted by a series of large boulders placed by the State along the west side of Kettle Cove Road. It is believed that the gravel placed for the original launch area is predominately still in place and is now overgrown with vegetation.

The State representatives indicated that the State would be very much behind the effort to move the public vehicle beach access and would not impede its progress, however, any improvements to reuse it would need to be funded by the Town. Further, the improvements would need to be engineered and properly permitted. To do so, there would need to be a comprehensive agreement between the State and the Town that stipulates each party's responsibilities. That agreement would then need to be followed by an easement which would allow the Town to construct and maintain the improvements as well as operate the boat launch.

If this change were pursued, the existing boat launch could be utilized as a pedestrian-only access point to that section of Crescent Beach and vehicular use of the current launch would then be prohibited. The Town should devise a means through stairs, vehicle barriers, and signage to clearly demonstrate the location of the access and its purpose in providing pedestrian access to the beach area. In doing so, the rights of the public to access and enjoy the beach area would be clearly identified and enhanced by providing a safe, year-round means to readily access the beach by foot.

The clear separation of uses and proper signage stipulating these uses would resolve much of the conflict within the Kettle Cove/Crescent Beach area. By providing an improved public beach access and launching capabilities, the public users would be more inclined to use the more accessible public area and less apt to attempt to use the more restrictive Boat Cove launch area which should be limited to commercial users and the Town's WETeam. Also by moving the public vehicle beach access area to the northwest, conflicts with the drainage channel would be mitigated. In addition, the new public beach access location would create a buffer between boat launch activities and the nearby residential homes along Kettle Cove Road.

Finally, while the Town recognizes that the State currently does not intend to restrict either the commercial fishing fleet or the Town's WETeam from using the launch area at Boat Cove, there is no definitive easement in place with those access rights being clearly documented and recorded. Recognizing the disastrous effect that a restriction or limitation of use would place on the Town's commercial fishing community and its water related emergency response abilities, the Town should negotiate with the State to obtain a recorded easement for the continued and unabated rights of its commercial fleet and WETeam to utilize the Boat Cove launch area.

## Marine Resources Goals

**Goal 1: The Town shall protect and enhance exclusive commercial fishing boat access at the designated commercial fishing boat access at Kettle Cove.**

### Recommendations:

1. Implement the recommendations in Goal 2 to provide improved recreational boat access in order to minimize instances where recreational boats are using the commercial boat only access.
2. Restrict parking and use of the turnaround area near the commercial boat launch to the exclusive use of the commercial fishing fleet and the WETeam. Signage, enforcement and education efforts shall be used to implement this restriction.
3. Obtain from the State of Maine an easement for the uninterrupted use of Boat Cove by the Town's commercial fishermen and WETeam.

**Goal 2: The Town shall advocate for and support construction of improved recreational boat access facilities at Kettle Cove.**

### Recommendations:

4. Obtain an easement from the State of Maine that would allow the Town to construct and maintain the improvements and then operate the new public vehicle beach access site at the historical location accessed from Kettle Cove Road.
5. Plan, design, permit, construct, maintain, and operate the new public vehicle beach access area while repurposing the existing beach access area to provide safe pedestrian-only access to Crescent Beach.

**Goal 3: The Town shall encourage and participate in a coordinated management of the Kettle Cove/Crescent Beach area with parties including the State of Maine, Town Police Department, and shared Harbor Master with the Town of Scarborough.**

### Recommendations:

6. Continue collaboration between the Town's Police Department in providing enforcement and support to the State of Maine resources in the Kettle Cove/Crescent Beach area.
7. Continue to share the Harbormaster with the Town of Scarborough.
8. Encourage the State of Maine to share and promote their management goals and priorities for the Crescent Beach, Kettle Cove, and Two Lights State Park and schedule periodic management coordination meetings.

9. Incorporate the June 2015 “Cape Elizabeth Sea Level Rising Vulnerability Assessment” report as prepared by the Portland Council of Governments in all water access improvements.
10. Expand the mooring section posted on the Town website to include information on current conditions, policies, and links to mooring maps so that users can access information on specific mooring locations and permit status.
11. Incorporate into Town Council practice a review of shoreline and harbors related issues a minimum of once every 10 years.

**Goal 4: The Town should protect vulnerable natural resources along the coast.**

Recommendation:

12. Retain the current stringent shoreland zoning and resource protection district zoning regulations.