

Town of Kennebunkport
Goose Rocks Beach Advisory Committee Meeting
June 17, 2021 ~ 6:00 PM
Virtual Meeting (Via Zoom)

A virtual meeting of the Goose Rocks Beach Advisory Committee was held on June 17th, 2021.

Members participating were Richard Driver, Kate Bauer Burke, Carol Sherman, Jon Dykstra, Joanne Gustin, Jim Mulvihill, Jennifer Wasserman, Barry Engel, Paul Hogan

1. Call to Order 2020 – 2021 BAC

Chairman Richard Driver called the meeting to order and performed a roll call of all members of 2020-2021 committee: Richard Driver, Kate Bauer Burke, Jim Mulvihill, Joanne Gustin, Carol Sherman, Jen Wasserman, and Jon Dykstra

2. Approval of Minutes May 6th

Ms. Gustin made a motion to approve the minutes from the May 6th, 2021 BAC meeting. Ms. Burke seconded the motion, and the vote was unanimous.

3. Public comments

Mr. Driver opened the meeting to the public for limited discussion. There were no comments from the viewing audience.

On behalf of the other Committee members, Ms. Burke thanked Mr. Mulvihill for his service on the BAC for the last 3 years and asked him to open the item that was delivered to him earlier that day. Mr. Mulvihill held up a mug with a Goose Rocks Beach logo that was gifted to him by the Committee members. Mr. Mulvihill thanked the Committee members for the gift, for their commitment to the community and for allowing him to be a part of the Committee for the past few years.

Mr. Burke then thanked Mr. Driver for his many years of service and asked him to also open the package that was delivered to his house earlier. Mr. Driver held up a collage of framed photos of Goose Rocks Beach along with a mug as a thank you gift from the Committee members.

Mr. Driver thanked all the Committee members and gave a brief speech on how he has enjoyed his time on the Committee working with his fellow colleagues and neighbors and the town leadership.

4. Adjourn

Ms. Burke made a motion to adjourn the meeting. Ms. Gustin seconded the motion, and the vote was unanimous.

5. Call to Order: 2021 – 2022 BAC

Mr. Driver called the meeting to order. Mr. Paul Hogan and Mr. Barry Engel joined the meeting as the newest members of the Beach Advisory Committee.

6. Election of officers: Chair, Vice-Chair, Secretary

Mr. Driver confirmed a quorum and performed a roll call of the members of the 2021-2022 Beach Advisory Committee: Kate Bauer Burke, Carol Sherman, Joanne Gustin, Jennifer Wasserman, Jon Dykstra, Paul Hogan, and Barry Engel.

Ms. Sherman nominated Ms. Burke for Chairperson of the Beach Advisory Committee. Ms. Gustin seconded the motion, and the vote was unanimous.

Mr. Driver and Mr. Mulvihill left the meeting as panelists.

Ms. Burke asked the Committee members for a nomination for Vice Chair of the Beach Advisory Committee.

Ms. Gustin nominated Mr. Jon Dykstra as Vice Chair. Mr. Hogan seconded the nomination, and the vote was unanimous.

Ms. Gustin nominated Ms. Carol Sherman as Secretary. Mr. Hogan seconded the nomination, and the vote was unanimous.

Due to a time constraint for a member of the Committee, Ms. Burke suggested the Committee go to Agenda Item #11 in order to allow Mr. Dykstra to participate.

11. Fires on the beach

Ms. Burke explained campfires have been allowed on the beach for many years with the town issuing 5 public permits and 5 beachfront property permits per day. A few years ago, an issue arose about the public permits issued for fires on the beach as some residents complained about the air pollution as a result of the campfires being lit in the same area, Mr. Burke added. Due to the Covid restrictions placed last year on public gatherings, Ms. Burke continued, there was a decision made to not allow permits for campfires at all.

Mr. Dykstra explained there have been some discussions amongst the Committee members and with representatives of the town in looking at fires as a part of the Goose Rocks Beach culture for a number of years but there is also some increasing issues and concerns with complaints of smoke aggravating nearby property owners, debris from the fires left on the beach in addition to the significant demand on our town resources, particularly on the police force. After some discussion with the town officials, Mr. Dykstra offered his opinion that he would recommend maintaining the current moratorium on beach permits for fires for this season.

Mr. Dykstra made motion the Committee recommend to the Board of Selectmen to not restart the permitting process for local fires on Goose Rocks Beach. Ms. Sherman seconded the motion.

Ms. Burke asked the Committee members if they wished to discuss the topic.

Ms. Gustin asked if the checking of the fires must be done by a police patrol officer but instead have the Community Safety Officers check the fire sites on their patrol. Mr. Dykstra explained it is a total of 10 permits that can be issued per day: 5 for the public and 5 for beachfront owners. Ms. Gustin questioned if the Committee should discuss reducing the number of permits issued as 10 seems excessive.

After researching neighboring towns, Ms. Burke noted that only Kennebunk, Old Orchard Beach, and Biddeford allow some form of beach fires but those are either limited to location or require some form of insurance where the permit holder is responsible for fire if it escapes and is liable for suppression costs up to \$2,000 plus damages caused to other property.

Mr. Engel offered his opinion that with safety being the foremost issue he would support the motion put forward to ban bonfires at the beach.

Mr. Hogan stated his view would be to reduce the number of permits issued to 5 maximum and limit the location where fires could be set to where there are no houses adjacent and a safe distance away from the dune grass. Having a limited smaller area where fires could be lit, Mr. Hogan continued, would aid the police department in patrolling whether those permit holders have complied with the rules of their permit.

Ms. Wasserman expressed her hesitation at this point in banning fires at the beach without obtaining much more feedback from the public.

Ms. Gustin agreed with Ms. Wasserman's statement adding the Committee should also solicit some input not only from the public but from the town officials such as the fire department as well.

Ms. Burke commented she is bothered by the safety issue and the lack of any language about liability for the town and the permit holder.

The Committee members had a detailed discussion on this issue.

Ms. Burke asked if there any members of the public who wished to comment.

Mr. Hogan read a short letter he received from Ann Corbey and Stephen Painter of Wildwood Avenue stating their opposition to the idea of restricting fires on Goose Rocks Beach.

Mr. Driver addressed the Committee to voice his concern over the potential for liability and the strain it puts on our small Police Department to issue and monitor the permits. Mr. Driver also noted the beach brochure this year states the same as last year that open fires and fire pits are prohibited on the beach.

Reading the Beach Use Ordinance, Ms. Burke citing the following section under general restrictions on the beach: "No starting or allowing any fire to burn within the beach premises, unless a fire permit has been" obtained.

An audience member suggested increasing the deposit required or require a credit card as insurance that the permit holder keeps the fire to a reasonable size and should the weather change, they cancel or put out the fire.

Mr. Rick Roberge addressed the Committee to offer his opinion that he is totally in favor of no fires on the beach.

There were no further comments from the public.

Mr. Dykstra withdrew his motion.

On the subject of liability, Ms. Gustin suggested Ms. Burke speak with the Town Manager and other town agencies in addition to soliciting more public input.

Mr. Hogan questioned whether the Board of Selectmen's motion to ban all beach fires last year was tied to the Governor's State of Emergency and if so that State of Emergency ends on June 30th. Mr. Hogan also suggested holding an ad hoc meeting on this topic alone rather than a full Beach Advisory Committee meeting.

Further discussion on this subject continued amongst the Committee members.

Ms. Gustin and Mr. Dykstra volunteered to meet separately to discuss possible proposals ranging from continuing the current situation to potentially reducing the number of permits issued.

Ms. Burke volunteered to contact the town videographers to determine available dates to hold a Zoom BAC meeting on this issue only. Once the date is set, Ms. Gustin stated she will issue a notice via Constant Contact and Ms. Burke agreed to contact the town office to determine what the requirements are for public notification of the proposed meeting.

7. *Public comments on matters not on the agenda*

There were no comments from the viewing audience at this time.

8. *Storing of Kayaks and other watercraft on Dinghy Point*

Ms. Burke explained the Board of Selectmen have asked for the Committee's input on the appearance of an expansion of use of Dinghy Point for leaving various forms of watercraft along with other beach items.

After some discussion, Ms. Gustin made a motion the Committee wait and observe the area for a few weeks before making a formal recommendation to the Board of Selectmen. Mr. Hogan suggested the motion be changed that the Committee will study the area and put it on the agenda for the September meeting or sooner if necessary.

The Committee members came to a consensus that it would be best to monitor the situation in terms of the number of watercraft and other items left in the area to see if there is a problem about the use of that area of the beach.

The Committee members also agreed that a motion was not necessary at this time.

9. *Information on CSOs, Kayak racks, Kiosks and towing of illegally parked vehicles*

Ms. Burke reported the Community Safety Officers have already started their patrols as of June 15th and the remaining CSOs that are still in training and are expected to be out of training by the weekend.

Mr. Dykstra informed the Committee the kayak racks have been installed; there are 9 in total and are in the same location on the East End of the beach as last year.

As for the towing of illegally parked vehicles, Ms. Burke stated she does not have any information on this, but it is still part of the Police Department's authority if they choose to execute it.

10. *Brochure and signs re: dogs on beach*

Ms. Burke reported the beach brochures have been printed and are ready to be distributed. The Police Department is putting them out in the cases on the beach signs for people to take, Ms. Burke added.

Mr. Dykstra commented the stickers with updated information will be ready to be placed on the beach signs before the beginning of July.

Ms. Burke also noted laminated copies of the June 15th to Labor Day dog rules have been made to be put at all of the entrances to the beach and have also been distributed to the campground. Ms. Burke volunteered to contact KRC to see if they are interested in having the brochures available at any of their resorts in town.

Ms. Gustin suggested that beach sign consolidation be made a priority to work on during the winter months in anticipation of next year.

12. *Staking and roping dune grass, beach cleanup and invasive plants pruning*

Ms. Burke thanked all the many volunteers who showed up for the May 15th Beach Clean-up weekend including the students from Kennebunk High School.

Mr. Hogan noted this past Thursday they had an invasive species clean-up day that was also successful but more work remains to be done and asked anyone interested in helping with the removal of invasive species plants to please contact him at paulhogangrb@gmail.com and he will let you know what tools you'll need and where the work needs to be done.

13. Plover coordinator position

Ms. Sherman announced the plover coordinator position remains unfilled and asked anyone wishing to apply to please contact the Town Office.

14. Plover report

Ms. Sherman reported that as of June 14th there are 8 pairs of plovers nesting at Goose Rocks Beach with 3 nests that have an estimated hatch day of July 3rd – 7th and the nests are scattered about the beach ranging from Jeffrey's Way to the West end. Ms. Sherman also reported there are at least 12 chicks right now running all over the West End. Lastly, Ms. Sherman stated the Least Terns have come back to Goose Rocks Beach and there are nests at five different locations on the beach as well.

15. BAC subcommittees

Ms. Burke provided a brief summary of previous subcommittees that have been formed in the past from the Beach Advisory Committee.

After some discussion, the following subcommittees were formed and the members volunteering for each subcommittee are listed as follows:

- *Communications* – Ms. Gustin, Ms. Burke, and Ms. Sherman volunteered and will work on the signage issue
- *Natural Resources* – Mr. Hogan, Mr. Dykstra, and Ms. Wasserman volunteered
- *Beach Safety & Use* (Formerly Traffic & Safety) – Mr. Engel volunteered.

Each subcommittee will also enlist volunteers and input from the larger beach community and the town.

16. Dates and format for summer meetings

With the Governor ending the State of Emergency on June 30th, Ms. Burke announced the Board of Selectmen voted at their last meeting to require meetings stay on Zoom until the state reaches a 70% vaccination rate. It is uncertain at this point whether future town board/committee meetings will remain on Zoom or revert to in-person meetings, Ms. Burke added.

The Committee members had some discussion on when to schedule the 2 summer meetings, where to hold the meetings if they are to be in-person meetings and whether to have guest speakers at one or both of the summer meetings.

Ms. Burke offered to confirm possible dates for meetings with the town videographers.

17. Other business

Ms. Burke asked if there were any members of the viewing audience who wished to address the Committee.

Mr. Ron Hayes of 49 Winter Harbor Road asked how many Community Officers have been hired this year and what hours will they be patrolling the beach. Ms. Burke responded she did not know the exact number of officers working for the town this summer. Ms. Gustin added the CSOs patrol from 6:00am until 8:00pm.

18. Adjourn

A motion was made to adjourn. The motion was seconded, and the vote was unanimous.