

**Town of Kennebunkport
Beach Advisory Committee Meeting
32 North Street, Village Fire Station
March 31, 2014 @ 6:30 P.M.**

A Beach Advisory Committee meeting was held on Monday, March 31st, 2014. The meeting convened at 6:30 p.m. in the Kennebunkport Village Fire Station.

Members Present: Robert Sherman - Chairman, Paul Hogan, Beth Ramsey, Margaret Barry, Richard Driver, Katie Nixon
Others Present: Ms. Laurie Smith, Town Manager

Mr. Sherman called the meeting to order and welcomed our new Town Manager, Laurie Smith.

Consider approval of minutes of December 5, 2013 meeting

Mr. Hogan made a motion to approve the minutes from the December 5, 2013 meeting. Mr. Sherman seconded the motion and the vote was unanimous.

There were no comments or questions from the floor on topics not covered on the agenda.

Status reports regarding top Five focus issues:

a. Dogs / protected species birds – Sherman, Hogan, Weston, Smith

At the Dec. 5 2013 meeting, the BAC recommended changes to the Dog Ordinance. The recommendations were a 300 ft. buffer around nesting plovers and no dogs allowed on the West End of the beach during nesting season described as April 1-Sept. 15. Mr. Sherman met with the Dept. of Inland Fisheries and Wildlife and they recommend a 150 ft. buffer. Also, Mr. Sherman conducted a survey of the 10 beachfront owners and the 8 back lot owners in the plover nesting area of the beach to get their input on the Committee's recommendations. The survey results indicated that the first response should be to ask the town to enforce the present Ordinance before prohibiting dogs.

After discussion, the BAC asked the Town Manager to come up with an enforcement plan that would utilize the summer officers during the early morning and later evening when dogs are allowed on the beach. Ms Smith stated that voluntary compliance and education will be necessary with this complex issue. Town Council was not in favor of the 300 ft. barrier because it is not consistent with other towns and difficult to measure.

Mr. Driver stated the town is under an obligation to take action to protect the plovers because they are on the national endangered species list. Mr. Driver added he would be in favor of banning dogs on that small section of the beach for the period when the plovers are nesting. Mr. Driver also reminded the Committee that in the Beach Use Ordinance there is a specific provision mandating that the town establish regulations regarding pets on the beach.

Ms. Nixon asked Ms. Smith what the town's position is for giving tickets to those violating the leash law. Ms. Smith responded the town has issued tickets in the past for violations but explained there is not a court system currently in place to uphold that. Ms. Smith reassured the Committee the town will do their best to enforce the leash law.

For clarification, Ms. Smith explained the current ordinance states no dogs allowed on the beach between the hours of 8:00 a.m. and 6:00 p.m. from June 15th to September 15th. Outside of those hours you can bring your dog to the beach but they must be on a leash and outside of the plover area.

The Committee members discussed at length the possibility of recommending increasing the fine for violating the leash law, especially near the plover nesting area.

Mr. Driver made a motion to change the Committee's previous recommendation from 300 ft. to 150 ft. from the delineated nesting area. Ms. Nixon seconded the motion.

The Committee voted unanimously in favor of Mr. Driver's motion.

b. Parking and c. Traffic and Safety will report next meeting

d. Trash – Driver, Ramsey

Ms. Ramsey, along with Mr. Driver, stated that they are not prepared to recommend adopting the State of Maine's carry-in/carry-out policy for the Goose Rocks Beach area without more study. Mr. Driver suggested adding an extra trash receptacle at those areas where the garbage accumulates the most such as at the Jeffrey's Way entrance and Belvidere Ave. entrance to the beach.

Mr. Hogan noted there is a consensus the beach was very clean and this was an isolated issue at a few sections as you enter/exit the beach. Also, where there have been beach fires, there needs to be better clean-up.

Ms. Smith noted the Committee's concern and stated the town would look into those trouble areas mentioned.

e. Communication – Nixon, Barry

Ms. Barry reported the Communication subcommittee sent out the first e-newsletter on March 22 and will send 2 more this year possibly in May and September. Ms. Barry provided the following details:

- Emailed 519 people
- 367 have opened the email
- 79 people have clicked on one of the 3 links included in the e-newsletter.
- Majority of those that accessed the links were for the new flood maps
- Mailed paper copies of the newsletter to those few that did not have an email address

Ms. Nixon reported to the Committee the signs and brochure will be reviewed and revised if necessary. Ms. Barry added last year 12,000 brochures were printed and only about 8,000 were distributed and suggested they concentrate on increasing the distribution. Mr. Hogan asked that the committee to think about language that better explains the 25 ft. reserve area to the public.

Beach Profiling and Water Testing – new items for discussion

Ms. Kathy Fellenz addressed the Committee and gave a brief presentation of the Beach Profile Monitoring program highlighting the impact of the program, its budget and its members. Ms. Fellenz stated in the program's report of 2013 it noted there has been some erosion at Goose Rocks Beach downgrading the beach from a B- in 2011 to a C. Ms. Fellenz asked the Committee members to consider making a \$700 contribution to the Beach Profiling Monitoring program out of the Goose Rocks Beach Advisory Committee's budget for the fiscal year 2015.

Mr. Driver asked how much money was in the Beach Advisory Committee's budget. Ms. Smith replied the Committee has \$126,000 budget.

Ms. Nixon made a motion the Beach Advisory Committee recommend to contribute \$700 to the Beach Profiling Group for Fiscal Year 2015. Mr. Hogan seconded the motion and the motion passed with a vote of 5 in favor of the motion. Ms. Barry is a member of the Beach Profiling Group and abstained from voting.

Water Testing:

Mr. Sherman suggested the committee consider including in their publications information about the water testing program with Maine Healthy Beaches. Mr. Hogan responded that he has compiled the water test data into a spreadsheet and offered to share that information at the next meeting.

Town Manger Update – Laurie Smith

Ms. Smith stated April 9th, 2014 is when the Court will hear oral arguments.

Ms. Smith stated the nomination papers have been sent out with a deadline of April 11th to submit a nomination and the ballots will go out May 12th, 2014.

Mr. Sherman had planned on a one-year term on the BAC, but in light of the ongoing litigation and unfinished business, he has decided to put in his nomination papers for another term.

Mr. Hogan announced there are no back lot positions open at this time and only one beachfront position open for this year.

Ms. Smith stated the town is trying to establish a meeting with a representative from FEMA but does not have a definitive answer when that meeting will take place. There is an increase in the budget to look at the FEMA maps and assist the residents affected.

Ms. Smith reported that as of March 24, 2014 the town has spent \$20,847.82 out of the Goose Rocks Beach fund, with the majority of that being payroll.

Ms. Smith thanked the Committee members for their work adding their diverse backgrounds are an asset to the beach community.

Establish tentative meeting dates: April, May and June

The Committee members agreed the next meeting dates will be April 17th, May 1st and June 11th. (NOTE: June meeting will be June 24, 2014)

Adjourn