

Kennebunkport Planning Board and Conservation Commission
June 27th, 2022 @ 6:00 PM
Hybrid Meeting Via ZOOM and In-Person
32 North Street, Kennebunkport

A joint meeting of the Planning Board and Conservation Commission was held on Monday, June 27th, 2022 in-person and via the ZOOM format. The meeting convened at 6:00 p.m.

Attendees: Tom Boak, Nina Pearlmutter, Larry Simmons, George Lichte, Steve Hanna, Carol Morris, Karen Hall, Robin Phillips

Items:

1. Workshop on Healthy Ecosystem Ordinance as Submitted to the Board of Selectmen on June 22, 2022 by the Kennebunkport Conservation Commission

Mr. Boak called the meeting to order and asked the members of the Planning Board and Conservation Committee to introduce themselves.

Ms. Carol Morris of the Conservation Commission explained they conducted a survey in the town to get a sense of what people wanted and found there was a very strong concern town wide with the use of pesticides and synthetic fertilizers. From that survey, Ms. Morris continued, they found percentages of the population were interested in banning pesticides and fertilizers and another percentage interested in not banning them. From most folks there was a strong concern about education, Ms. Morris added.

Ms. Morris also stated the first step the Conservation Commission is proposing is to ask any commercial firm who is applying synthetic pesticides or fertilizers to register in the town in January and to log a report at the end of the year how much and where they have put them to give the Commission a baseline of what's happening in the town. At the same time, Ms. Morris continued, the Commission would launch an aggressive education campaign with the goal of shifting the majority of Applicators to using organic materials instead.

Mr. Steve Hanna then explained the template form they are asking Applicators to complete on a weekly basis adding the Commission will gather, organize, and analyze the data so as not tie up town resources for this project. Mr. Hanna also stated they are hoping to compile this data for one year.

Ms. Pearlmutter expressed her support of the education campaign; adding the data collected would be helpful to the Planning Board because they have had a lot of controversy on how much the Board could regulate the use of fertilizers and pesticides.

Ms. Robin Phillips added this project is based on a program that has been in place in Falmouth for 6 years and who has shared their report with the Commission. Ms. Phillips offered to share that report with the Planning Board members.

Ms. Pearlmutter stated having this data would be helpful, but the Planning Board does not have the authority to regulate on all properties and the Code Enforcement Office currently has no leverage or jurisdiction to restrict people in using fertilizers or pesticides.

Mr. Hanna provided more details on the spreadsheet they are asking Applicators to complete.

Mr. Lichte offered his opinion on the Conservation Commission's Draft Ordinance that was submitted to the Board of Selectmen that the definitions are very difficult, and the enforcement will be very problematic for the town and especially the Code Enforcement Office. Mr. Lichte also stated that herbicides should be included along with pesticides and fertilizers and that the notion of using organic materials does not solve the problem.

Mr. Lichte also cautioned that from a Planning Board perspective, without any ordinance, the Board can not make suggestions to Applicants.

The Board members and Commission members had a detailed discussion on the specifics of the Commission's proposed ordinance and possible scenarios that could occur as a result. The discussion also included other topics such as the use of organics, their application and affects on bees and insects.

The discussion then moved to what the next steps should be after the data from Applicators has been compiled.

Mr. Gilliam advised, from an enforcement point of view, definitions are very important.

Mr. Gilliam also commented this is good basis and has provided some good feedback from folks. In terms of process, Mr. Gilliam added, the next step is to present it to the Board of Selectmen and will then determine whether to send it to the town attorney for a legal review.

There was more discussion on next steps and other sources for information such as universities, environmental groups, other towns and state agencies.

The workshop concluded and ran approximately 1 hour and 20 minutes.

Submitted By: Patricia Saunders, Recording Secretary