

**Town of Kennebunkport  
Beach Advisory Committee Meeting  
32 North Street, Village Fire Station  
April 15, 2013 @ 6:00 P.M.**

A Beach Advisory Committee meeting was held on Monday, April 15th, 2013. The meeting convened at 6:37 p.m. in the North Street Fire Station.

*Members Present: Richard Driver, Katherine Nixon, Margaret Barry, Robert Sherman, Elizabeth Ramsey, Paul Hogan, Stuart Barwise*

*Others Present: Mr. Larry Mead, Town Manager, Tom Ramsey, Carol Sherman*

**Items:**

**1. Call to Order: Bob Sherman, Chair**

**2. Secretary's Report: Beth Ramsey  
Consider approval of minutes of March 26 meeting**

Ms. Ramsey asked the Committee members if they have received the minutes from the March 26<sup>th</sup>, 2013 meeting. There were no corrections or comments. Mr. Hogan made a motion to approve the March 26, 2013 meeting minutes. Ms. Barry seconded the motion and the vote was unanimous.

Ms. Ramsey reminded the viewing public to email any questions or comments during the meeting to [grbadvisory@gmail.com](mailto:grbadvisory@gmail.com).

**3. Old Business**

**a. Communications subcommittee report: Katie Nixon, Meg Barry**

**(1) Sign status**

Ms. Barry stated the subcommittee has finished the sign to be posted in 9 different locations along the beach. Ms. Barry noted all of the suggestions and revisions have been incorporated into the final draft and asked the Committee members to review for final approval. There were no further revisions or changes suggested by the Committee members. Ms. Barry also explained the signs will be 18"x24" on wooden posts with a holder attached to the posts for the brochures.

Mr. Sherman asked if the signs would be up year round or seasonally. Mr. Mead suggested taking the signs down at the end of October in order to prolong their use.

**(2) Flyer status**

Ms. Barry provided the Committee with a final draft of the brochure which contains the changes suggested at the last meeting. Ms. Barry gave a brief summary of the changes made for the Committee adding the cost for printing 1,000 color brochures would be \$289.99. Mr. Sherman asked Mr. Mead if he could provide some guidance on the quantity of brochures needed. Mr. Mead agreed to research that information and convey it to the Committee.

**(3) Possible special communication regarding Reserves Areas (new item)**

Mr. Sherman stated he received a call from a beachfront owner questioning if owners of the reserved areas were exempt from obtaining permits for camp fires, etc. Mr. Sherman asked the Committee for their opinion if there is a need to extend a special communication to those beach front owners on how the Beach Use Agreement affects them with regards to the 25 foot reserved area. Ms. Nixon suggested the Communications Sub-Committee draft a letter to those beachfront owners and report back at the next meeting.

**b. Update on plans for Beach Ordinance II and Beach Rules – Larry Mead**

**(1) possibly include more specific dog rules (doggie day care limits)**

Mr. Mead stated the latest draft of the Beach Use Ordinance II is dated March 18<sup>th</sup>, 2013 which incorporates the changes suggested at the last meeting. Mr. Mead explained the Selectmen will review it and if they sign the Beach Use Ordinance II it will then be put on the warrant for June, 2013. Mr. Sherman added once the Beach Use Ordinance II has been approved by the voters the Beach Advisory Committee will then set a list of beach rules to submit to the Board of Selectmen for review and further enactment.

**c. Plovers update – Carol Sherman**

Ms. Carol Sherman addressed the Committee and read a prepared memo from the plover committee, a copy of which is attached.

Ms. Nixon asked what should be the public's appropriate distance from the nesting area. Ms. Sherman replied the Maine Dept. of Inland Fisheries and Wildlife suggest a distance of 150 feet from the stake & twine area. Ms. Nixon suggested adding to the plover beach signs that there is a \$25,000 fine for disturbing or harassing a plover.

Prior to this meeting Ms. Sherman provided each Committee member with a draft of the state's plover sign. Ms. Nixon offered the assistance of the Communications Sub-Committee in finalizing the wording of the plover beach signs.

Mr. Driver made a motion to accept the suggestions made by the Plover Committee. Ms. Barry seconded the motion and the vote was unanimous.

**d. Update: and change in Status of GRB litigation affecting BAC - Larry Mead**

Mr. Mead reported there have been no new developments regarding the Goose Rocks Beach litigation.

Mr. Mead did note that Ms. Melissa Rizzieri's request to be added to the Beach Use Agreement will be discussed by the Board of Selectmen at their executive session.

**e. Summer meetings at Goose Rocks Beach – Paul Hogan**

Mr. Hogan stated he sent a request to the Treasurer of the Goose Rocks Beach Community House who said they would discuss it at their Executive Board Meeting in May. Mr. Driver suggested using the Goose Rocks Beach Fire Station meeting room as an alternative. The Committee agreed to wait until their June meeting to come to a consensus.

**Seaweed issue:** Mr. Sherman noted since the seaweed has been brought back out with the tides this is no longer an issue.

**4. New Business**

**a. Go/no go decision needed regarding 6 mph speed limit buoys**

The Committee discussed possibly putting a buoy at the mouth of each river noting the 6 mph speed limit for boats and jet skis. Mr. Hogan and Mr. Barwise cautioned against the buoys stating it would give the appearance the Committee was overregulating.

Ms. Nixon offered her opinion that since this 6 mph speed limit isn't a new change, the Committee uses this year to observe the area and discuss if anything needs to be addressed for next year.

Ms. Barry made a motion to put a marker buoy at the end of each river. Mr. Driver seconded the motion. There were 4 votes in favor of the motion. Mr. Hogan and Mr. Barwise opposed the motion. Ms. Ramsey abstained from voting. The motion did not pass.

Ms. Ramsey asked if it was possible to put just one buoy at the west end of the beach to see if the posted speed limit is effective in reducing the number of speeding boats and jet skis. Mr. Driver made a motion to put one buoy on the west end of the beach indicating the 6 mph speed limit. Ms. Barry seconded the motion. The motion passed with 5 votes in favor. Mr. Hogan and Mr. Barwise voted against the motion.

**b. Consideration of tightening rules on fires on the beach**

This item was not discussed at the meeting.

**5. Potential agenda items for next meeting**

No other items were suggested for the next meeting.

**6. Confirm next meeting date of May 13**

The Committee agreed the next meeting date would be May 13, 2013

**7. Adjourn**

**Adjournment:** A motion was made to adjourn, it was seconded and the vote was unanimous.

**Submitted by:** Patricia Saunders, Recording Secretary

## Report for meeting of BAC on April 15, 2012

I propose that the care of the Piping Plover/Least Terns continue this year basically as it did last year but with some additions:

1. Maine Audubon is to inform Kennebunkport Police about the Plovers/Terns' arrival and departure, so that the police can adjust permission for fire permits and large gatherings.
2. Some new and more Piping Plover/Least Tern education information dissemination, i.e., newspapers, Facebook, website, etc.
3. Some new seasonal signs made and installed by Maine Department of Inland Fishery and Wildlife (MDIFW), which are to be discussed/approved by BAC.
4. MDIFW/Maine Audubon to give education classes to summer Kennebunkport Police staff.

### Latest information:

1. Spring seasonal sign for review and approval (sent in separate email). Suggestion is to have 2 Seasonal signs, the first one put up when the plover nesting starts and then another new sign to replace it when the chicks are hatched. Once the sign is approved it will take a couple of days to have a hard paper sign ready to put up. Suggested specific areas for signage are by the public right of way at the West end of the beach and on the beach, hopefully in front of 115 Kings Highway or 117 Highway, though high tides are a problem with signs on the beach.
2. Action list given to Lindsay and Laura, and they are taking steps to writing articles, making signs, material is being gathered to give to rental agents, etc.
3. Laura Zitski, Wildlife Ecologist/Piping Plover and Least Tern Project Director, wanted me to express that the signs were not just to protect the Piping Plovers but also to protect the people. There is a hefty fine for a "take", which is defined as anything from killing an endangered species to harassing an endangered species. I asked what the fine was - \$25,000.00 plus possible jail time!
4. Laura also told me that another Game Warden has been hired. The majority of this warden's effort will be the education, awareness and protection of the Piping Plovers/Least Terns.
5. I will be attending the Piping Plover/Least Tern Management Meeting, given by the Maine Audubon in Falmouth, April 23rd.

Respectfully submitted,

Carol Sherman