

TOWN OF CAPE ELIZABETH HARBORS COMMITTEE

Meeting Minutes
December 12, 2017

Present: Chair James Casey (JC), Stephen Culver (SC), Caitlin Jordan (CJ), Susan Farady (SF), and Katharine Ray (KR)

Committee Status Update: At their December 11, 2017 meeting, the Town Council voted to approve the continued service of Caitlin Jordan and Katharine Ray (former Town Councilor) to the Harbors Committee.

Staff: Town Engineer Stephen Harding (SH)

Public: Nate Perry (NP), Jim Huebener (JH), Dan Harriman (DH), and Gary Cummings (GC).

Call to Order: Chair Jim Casey called the meeting to order at 6:17 p.m. with a roll call in which Committee Members SC, SF, CJ, and KR were present.

Reports and Correspondence: The Committee had been provided in their meeting packets information which included:

1. Draft November 28, 2017 Meeting Minutes
2. Draft December 3, 2017 Ordinance Changes Memorandum
3. Ordinance Chapter 10 Edited at November 28, 2017 Harbor Committee meeting

Citizen Opportunity for Public Comment:

- There were no public comments made at this time.

Meeting Minutes: The November 28, 2017 meeting minutes were approved with one correction by SC relating to a comment that he had made regarding the future study of any boat launch area. (5 Yes – 0 No).

Discussion of the draft memo regarding changes to the Harbors Ordinance Section for the purpose of finalizing the memo

- SH had provided the Committee with the November 28, 2017 meeting's final comments regarding potential Ordinance changes as well as a tracked changes version of the "Chapter 10 – COASTAL WATERS and HARBOR ORDINANCE" from the last meeting.
- At the last meeting, the Committee directed SH to prepare a cover memorandum addressed to Town Manager Matt Sturgis to explain the rationale of the tracked changes version of the Ordinance suggested changes. This package would then be forwarded to the Town's Ordinance Committee which reviews the language and then sends it along to the Town Council with recommendations for the Council to consider for implementation.

- Prior to the meeting, SH had provided the Committee with a draft December 3, 2017 memorandum outlining the changes and the reasons for the recommended changes.
- SF noted that the memo is helpful in providing a summary of the recommended changes and the rationale behind each change. There was a general discussion of the status of the changes and JC noted that although he was not present at the last meeting that he agreed with the content of the memo and the ordinance changes.
- The Committee voted 5-0 to approve of the memorandum content and directed SH to finalize the memorandum and then provide it with the recommended Ordinance changes to Town Manager Matt Sturgis to forward to the Town Ordinance Committee for consideration.

Review of Public Informational Survey verbatim comments and trends

- SH has sent the Committee the results of the Public Input Survey.
- SF summarized the verbatim responses to Question #7 – “Which activities do you engage in on the Cape Elizabeth shore?” There were 68 responses in which 3 responses were not responsive to the question. SF reviewed some specific comments to provide some context to the type of responses that were given. SF’s conclusion was that there were a wide range of categories of activities that were evenly distributed within the responses.

Categories, numbers and percentage of responses:

| | | |
|---|--------------|-----|
| Boating related: | 6 responses | 9% |
| Nature observation and exploration | 18 responses | 28% |
| General recreation: | 16 responses | 25% |
| Walking, biking, running, other exercise: | 16 responses | 25% |
| Dog-walking: | 13 responses | 20% |

- JC noted that he had provided a summary at an earlier meeting (October 26, 2017) for Question 3 – “How Important is your public access to the Cape Elizabeth shore?”
- SC then summarized the verbatim responses to Question #11 - Q11 “Please tell us how the Town of Cape Elizabeth can improve public access to the shore and waters?” There were 316 responses to the question. SC provided some general context to the type of responses that were given and provided categories within which they largely were grouped.

Categories and percentage of responses:

| | |
|--|-----|
| Keep paper streets | 13% |
| Accept paper streets and possibly extend Greenbelt trail using them (Frequent specific mention of Surf Side Ave. and Atlantic Ave.) | 13% |
| Protect private property | 4% |
| More Access | 21% |
| Keep what we have | 11% |
| Better marking of access points and clearly understanding what is public and what is private, possibly with map | 11% |

| | |
|---|-----|
| Easier boating access for launching and mooring including public launching at Crescent beach ramp | 8% |
| Repair Cliff House steps | 3% |
| More Parking at access points | 3% |
| Other | 13% |

- JC noted that there is one other question with a multitude of responses, that being Question 4 – “Based on your answer to question 3, why do you say that?” There were 400 responses which Jim will review and summarize. JC noted that he believed that these responses could be best conveyed in a pie chart graphic within the report. The Committee agreed and acknowledged that the full report of the survey with each comment submitted will be appended to the final report.
- JC stated that the Committee should set a date to have the response organized and then review it at a separate meeting.

Other Items not on the Agenda

- JC noted that there was a concern that the mooring mapping charge of the Committee will be difficult to achieve given the poor weather conditions and the difficulty with the Harbor Master being able to complete the GPS locations of the moorings now that his boat has been removed from the water. DH commented that some buoys denoting the locations of moorings have been winterized by dropping them below the water surface so these moorings will be more difficult to locate.
- NP stated that he felt that there were four steps in the mapping process; (1) get the locations, (2) have the Harbor Master determine the spacing of the moorings, (3) determine which moorings are actually active as the current mooring list is a lot larger than those moorings being actively used, and (4) determine which moorings may not be actively used, but still have tackle beneath the surface. There was a general discussion regarding the presence of mooring equipment without an actual mooring use and whether or not that needed to be noted.
- In order to meet the Committee’s charge of mapping the moorings, SF stated the Committee should take whatever information the Harbor Master can provide and then the Committee should make a recommendation to the Council of the necessary adjustments to that data in order for it to be the most beneficial.
- With the exception of Maiden Cove which is a unique situation, SF noted that there aren’t any other areas with waiting lists for moorings so the future expansion of mooring fields is not a pressing issue. JC stated and the Committee agreed that it is really the Harbor Master that should analyze the mooring areas for expansion based on actual marine conditions and not a task that is suited for the Committee.
- NP stated that the Cape Elizabeth Fishermen’s Alliance (CEFA) would assist logistically with people and equipment to assist in the mooring location mapping.
- The Committee asked SH to ensure that the Harbor Master was invited to the next meeting to discuss the mooring mapping process.

- SC asked if there was any further movement on requesting licensure information from the Maine Department of Marine Resources (DMR). SF said that she had been waiting for the optimum time to make that request through her contacts. She felt that the topic was still in flux as to the number of years and the specific years that the Committee would like to have provided.
- There was a general discussion among the Committee and, after noting that the Committee now has the 2016 data, the Committee requested SF to request data from 2005, 2010, and 2015 so that trends could be evaluated.

Public Comment:

- NP and DH revisited the discussion of mooring mapping and its needs and ultimate use. JC noted that ultimately the Harbor Master needs to certify each mooring.
- NP added that each mooring should be identified for its maximum boat size use based on factors such as depth and swing distances. NP also suggested that this information could be added to the Town website in a digital form perhaps using Town Hall staff instead of relying on the Harbor Master's limited availability to complete administrative tasks.
- SF added that there needs to be a better inventory and it needs to be digital.
- GC raised the issue that not all fishermen fishing in Cape Elizabeth actually live in Cape Elizabeth so the data from the DMR will be flawed in trying to determine the actual fishermen actively working in Cape Elizabeth waters. CJ noted that the opposite is true in that not all fishermen living in Cape Elizabeth actually fish in Cape Elizabeth so those residents are also going to be misrepresented. The Committee agreed that this situation would be best handled by adding a qualifying caveat to the report outlining that the data is affected by the DMR's reporting of licenses by town residence location and not actual fishing location.
- The Committee discussed the draft report and SH will prepare a first draft to share with the Committee by January 5, 2018.

Next Meeting: The next Harbors Committee regular meeting will be held on Tuesday, January 16, 2018 at 6:15 P.M. in the Lower Conference Room at Town Hall.

The meeting was adjourned at 7:30 p.m.

Respectfully Submitted,
 Stephen D. Harding, P.E.
 Town Engineer