

----- Forwarded message -----

From: **ILYA FLEISHMAN** <iif1@msn.com>

Date: Tue, Sep 26, 2017 at 4:44 PM

Subject: Harbor Commission Recommendations

To: "matthew.sturgis@capeelizabeth.org" <matthew.sturgis@capeelizabeth.org>

Cc: "Kurt.Shoener@maine.gov" <Kurt.Shoener@maine.gov>, "Gary.Best@maine.gov" <Gary.Best@maine.gov>

Matt,

Please forward the following letter with recommendations to the Harbor Committee. It is signed by a few neighbors along Kettle Cove Road with interest in this issue.

Dear Harbor Committee,

The disorganization of water access uses at CBSP and KCSP severely impacts the quality of life for the neighbors and the enjoyment of park users by pushing water access uses out of the parks' day-use areas and onto Kettle Cove Road in the adjacent neighborhood and onto Crescent Beach where excessive and unintended vehicle use deteriorates the enjoyment of the beach by other park users.

During this process, it has become clear that the Town sets the rules for beach and ramp launching while the State does the enforcement. It is also clear, through past actions, that the Town has generally been indifferent to the use of the area except for impacts to the commercial fishermen and that the State is not particularly interested in enforcing the Town's rules. It has also been demonstrated that the neighborhood has received the lowest priority in decision making on this issue from both the State and Town. We have never been consulted or asked for input when changes have been made.

We would like to thank the Town for establishing this Committee to consider all stake holders during this period of reconsidering the 1984 Harbor Plan to address the current needs of the community, and the State for supporting this effort.

Our small group of the most immediate neighbors along Kettle Cove Road has been considering these issues and listening to others in the broader neighborhood. The goal of our recommendations is to readjust the Town's rules and provide clear instruction to boaters to create a better experience for everyone.

We would like to suggest a series of small actions that could be taken by the Town and State to ameliorate these problems. Individually, they should cause no hardship to anybody and improve the ability to use and enjoy the area and its facilities for everyone. Collectively, they should significantly reduce the impact of the boating facilities on neighbors and passive park users.

The recommendations serve to fulfill four primary objectives to achieve the goal of providing public access while reducing the negative impacts to the neighborhood and the experience of passive park users:

A) Make available to the public a logical, comprehensible and organized means of achieving the variety of

water access they require (i.e. bathing beach, kayak/board launching, small craft launching, commercial fishing activity)

B) Provide all water access activities within the day use areas of the parks - not along Kettle Cove Rd. in the neighborhood

C) Reduce the number of vehicles driving onto Crescent Beach to a minimum, and boats launching within Kettle Cove SP to a level the resource can bear

D) Clearly and simply inform people how to use the area's launching facilities without excessive signage

The recommendations fall into four categories: 1) Physical design 2) Permitting 3) Information Dissemination 4) Enforcement

1) Physical Design:

a) Relocate Beach Launching area access road as proposed

b) Redesign Kettle Cove Rd. roadside to restrict launching and standing by moving bollard rocks closer to the roadway and extending the guardrail

- These two steps will restrict the physical ability of people to launch carry crafts directly from Kettle Cove Road in the neighborhood and in front of people's houses.

c) Move the beach parking sign away from the neighborhood's pedestrian beach access by 25 yards

- The current position of the sign allows beach parking right up to the pedestrian beach access. People walking onto the beach are greeted by a parking lot and tail gate party. I am sure that the moving of the sign this year only considered the use of the parkers and did not consider how the move would affect the enjoyment of passive beach goers, especially the neighbors, as is typical of the priority hierarchy we as neighbors have experienced over the years.

2) Permitting:

a) Allow carry launching from CBSP

- This will reduce the pressure on Kettle Cove for launching

b) Change the 'Beach Parking' permit to a 'Beach Launching' permit to go with a registered trailer or mooring, not vehicle

- This will designate the beach for its proper use and reduce beach tail gating

c) Allow trailer launching by Town's *Beach Launching Permit Only* at commercial launch after 5pm and Sundays

d) Provide Beach Launching permits to town residents only - This will reduce the demand for launching

- Once again, the hierarchy of priorities treats the neighbors last. Several local residents with moorings need some time to use the ramp each season and others would like to have some reasonable time, too, for recreation.

e) Allow carry launching into the commercial launching cove from the KC parking lot yielding to commercial fishing activity

- It would be nice if there were a reasonable alternative for carry launchers at Kettle Cove, but there is not. The commercial fishermen may well find it is better to clearly instruct carry users to *Yield to Commercial Activities* than to constantly fight a losing battle for exclusivity at the ramp. Regardless, reducing friction between users will be an improvement for all parties.

f) Make even the costs of all launching options (raise Beach Launch Permit cost and KC parking to equal State Park fees)

- This will distribute use more evenly throughout the area because financial decision making will be taken out of people's calculation. It should include raising the Town's Beach Launching fee and instituting parking fees at Kettle Cove to match the CBSP fee.

g) Organize group and tour carry launching from CBSP only

- CBSP has the appropriate facilities for these large groups

3) Information Dissemination:

a) Provide Beach Launching Rules sheet with Beach Launching Permit clearly stating the 'launch and go/retrieve and leave' rules

- This will reduce tail gating on Crescent Beach

b) Install clear launching rules sign on KC Rd.

- Obviously, people are not clairvoyant and need clear instruction

c) Install clear commercial launch sign: *Active Commercial Ramp - Yield to Commercial Activity; Keep Ramp Clear at All Times; Commercial Vessel Launching or by Town Permit at Specified Times Only*

- This one sign, replacing the others, will reduce conflicts

4) Enforcement:

a) Use town's launching fee increase to help pay summer parking lot 'ranger'

- The Town in the 1984 Harbor Plan is supposed to provide a summer ranger to help enforce their rules, what happened to that?

b) CEPD to better patrol KC parking area, commercial launch parking area and beach launching area after hours and at night

- Let's work together on these enforcement issues

We thank the Committee for considering our recommendations. We believe that with a little give and civility from all parties, that everybody's ability to access the water will be encouraged and protected while increasing the enjoyment of the parks for everyone, including the neighbors.

Sincerely,

Ilya Fleishman

Chuck Redman

Royal Craig