

Open Space Management Plan Committee Meeting Minutes

Tuesday, January 11, 2011

Attendance: Committee Members: Dena DeSena, Chair, Dick Bauman, John Marchewka, Zac Matzkin, John Planinsek, Town Council Liaison Jessica Sullivan and Town Planner Maureen O'Meara

1. The Meeting was called to order at 8:10 PM.
2. Correspondence: The Committee reviewed a legal opinion from the Maine Municipal Association advising that the Town could not ban hunting on municipal property.
3. The Committee discussed hunting and trapping on Town-owned land. The town does have the right to require permission to install a tree-stand on town land. The committee generally agreed to develop a policy that requires permission to install a tree stand, but that the permission must have objective standards and not be based on personality and a specific person or entity must be identified as the permit issuer. Members noted that the state parks prohibit hunting within 200 yards of a dwelling and that trapping is not permitted within 1/2 mile of "build-up" areas. For the next meeting, Maureen will provide the committee with the state hunting laws guidebook. She will also draft some provisions for setbacks from homes for tree stands for the committee to review.
4. The committee then began review of the Maintenance policies. Under #2, Trail conditions, the committee removed the safety references due to the rustic nature of the trail system. The committee wants the policy statement to reflect that the trails are predominantly for pedestrians. For example, the commission has built trail bridges, but has not designed or certified them to hold a snowmobile. A member asked if the town is responsible for providing snowmobile crossings. It was noted that the snowmobile club does some their own maintenance. There was a concern about committing to a standard that we cannot achieve. The commission does not have the resources to be responsible for building bridges that are sufficient for snowmobiles, horses, etc. The committee agreed that users are on the trail at their own risk and it is incumbent for all users to determine appropriateness of using the trail in different conditions.
5. Signage: The committee liked the idea of using graphics to illustrate what uses are allowed on which trails. They also want to reconsider and expand the size of trailhead signs from the 8 1/2" x 11" to the 4' x 8' signs similar to the Winnick Woods sign.
6. Hours: The trails will be open at all hours, but from sunset to sunrise, limited to the quiet enjoyment of the trails.

7. Encroachments: The Town Manager is the primary contact on encroachments. He has suggested that the town set aside a fixed amount, such as \$2,500 yearly, to do periodic assessments of open space boundaries. Maureen will take the draft and reformat it into a definition, examples of encroachments and process sections.
8. Vegetation. Minor revisions were recommended.
9. Rubbish. Generally, it was agreed to allow animal waste to remain on the open space, at least 5' from any trail.
10. Work alterations/improvements: The committee agreed that any improvements must come before the Conservation Commission. The draft reflects the current practice of walking the land, making plans and evaluating proposals for improvements.
11. Hunting. It was agreed to move the hunting related laws to the hunting section. Other laws will also be moved to the applicable section.
12. Horses: Horses should be added to Sec. 7-1-6 as protected under the failure to restrain section. Maureen will research state law for provision that all trail users must yield to horses. It was noted that it is very hard to train a horse to wear a bag to collect manure. It was agreed to allow horse manure to remain as long as it is removed to at least 5' from a trail. Members noted that horse hooves can cut the grass and damage the trail surface. The committee will consider limiting horses to certain trails and the Town may close trails at certain periods to limit damage during wet seasons.
13. Dogs. Dogs will be allowed off-leash and the Dog Ordinance will need to be amended to be consistent with this.
14. Social gatherings. The committee agreed that some large gatherings on town open space may occur and there should be some oversight. Staff will draft more information on this, including what constitutes a gathering.
15. The committee adjourned at 10:00 p.m.

Respectfully submitted,

Maureen O'Meara, Town Planner