

Memo

To: Chair Valerie Adams, Cape Elizabeth Town Council
From: Matthew E. Sturgis, Town Manager
CC: File
Date: September 9, 2020
Re: Chapter 13, Traffic Regulations

Over the course of the past summer season, there was an increase in the use of public open spaces. One of the open spaces that experienced an increase in traffic and use volume was the vehicle beach access point between the beginning of the entrance to Kettle Cove and the end of Crescent Beach State Park on Kettle Cove Road.

Due to the increase in use and concerns expressed by the surrounding neighborhood, a review of the traffic regulations relating to this space was performed. The regulation of traffic is found in Chapter 13 or the Town of Cape Elizabeth ordinances, with the specific section relating to this area found in Section 13-3-9 Beach Access Restrictions and 13-2-4 Limited Parking. The two sections are identified below:

Sec. 13-3-9. Beach Access Restrictions. No person shall operate a motor vehicle on Crescent Beach except for the express purpose of launching a watercraft, for commercial fishing activities, for the commercial harvesting or rockweed or seaweed, or for public safety or authorized beach maintenance purposes.

Sec. 13-2-4. Limited Parking. Limited parking shall be as follows: a. During the months of May through November, no motor vehicle shall be parked on Crescent Beach, except that commercial fishermen may, in the pursuit of their calling, park there for the reasonably necessary purposes of loading and unloading.

Discussion with the Police Department indicated that access permits were granted for both a season and a day permit for any person with the intention to launch a watercraft, and not restricted to commercial fishing activities.

As the boat launch at Kettle Cove is restricted to commercial fishing only, the non commercial action has moved to this point of launch. Unfortunately, there was abuse of the access point this summer, with people obtaining a pass for access under the guise of launching a watercraft, and then simply parking on the beach. Once this became known, the Town and the State Park staff increased our attention to the area to maintain compliance with the launching requirement. However, the conflict between the ordinance and practice remains.

The request being made to the Council is to have these two sections of Chapter 13 referred to the Ordinance Committee for revision to include non-commercial watercraft launching added as an allowed use.