

Conservation Committee Meeting Minutes
Remote
7:00 p.m., Tuesday, March 8, 2022

Public proceedings by remote access for Town Council meetings are authorized by the Town of Cape Elizabeth's Remote Participation Policy adopted August 30, 2021 and the Order Declaring a Limited Emergency extended to March 31, 2022.

Present: Jim Tasse, Chair, Matthew Craig, Chris De Vries, Corinne Ketcham, Bruce Moore, Richard Sullivan.

Staff: Maureen O'Meara, Town Planner

1. Citizen comments.

Tom Vaughan, Cape Nordic, 70 Old Ocean House Rd - He walked the "competition loop" with Jay Weiss, which circles behind the school bus parking, and are submitting costs to widen the trail another 5'-10', with a quote of \$8,000 -\$10,000. This would also involve invasives.

Mr. Moore asked about the amount of invasives?

Mr. Vaughan is unsure. The project may dovetail with invasives control as the trail was originally designed and has become overgrown.

Chair Tasse asked about plans to fix the snowmobile and the grooming experience this year? Mr. Vaughan said that they had some days when the trail was groomed.

Ms. O'Meara clarified that the Morton plan for the Nordic trail was not fully built out and the trail behind Public Works was never built as a Nordic trail. If you want to widen the trail, that will trigger permitting, including state level permitting that has just been completed.

Ms. Ketcham questioned wetland impacts to widen to Nordic standards. Mr. Vaughan clarified that the Norton plan specified a certain width and he had assumed it had not been maintained.

Chair Tasse asked if the request was for the Conservation Committee to do the widening? Mr. Vaughan said that the Nordic budget was limited, but they would make a contribution.

Mr. Craig asked if there was a specific budget with estimated costs, for example, bridges, fill, boardwalk? Mr. Vaughan said they did not have a formal quote to widen the 2 miles of trail. The primary funding would not be from Cape Nordic.

Chair Tasse described the existing Nordic trail location north and west of the transfer station that should be preserved, but the remaining trails should be preserved at the current narrow width as 10' feels wide. He would support widening at choke points for the snowmo groomer,

but not widen behind the school buses. Please provide a map showing where you would propose widening.

Ms. O'Meara noted that Mr. Vaughan had previously provided the original Morton plan map. Did the committee want a map that showed existing trail conditions?

Chair Tasse confirmed the map should show existing trail conditions with chokepoints noted. He also questioned if trails should be widened for skiing in light of climate change and winters that did not support many days with good conditions for skiing.

Mr. De Vries asked what is the optimal width for Nordic skiing? Mr. Vaughan suggested 10'. The original plan did have multiple phases and he doesn't know why it was not completed. He will bring back a clearer proposal.

2. Minutes. Mr. Moore made a motion to approve the February 9, 2022 meeting minutes, seconded by Ms. Ketcham, which was approved 6-0. Mr. Moore also commended Chair Tasse for doing a good job handling last month's meeting with the volume of public comment and contentiousness of the issue.
3. Priority setting. Ms. O'Meara reviewed a priority setting guidance memo that featured trails, signage, invasives, and encroachments, but this should not limit committee members from identifying other topics. The committee discussed the 4 areas, and no additional areas for consideration were suggested.

Ms. Ketcham said her #1 priority was trail improvements. We should hire MCC to return. The highest priority areas were the Town Farm and Winnick Woods. We should also have smaller, higher priority projects for community groups to take on.

Mr. Moore agreed. The trails get a lot of use and many are in poor condition. It is our responsibility to prevent deterioration.

Chair Tasse noted that we now have permits to do the work.

Mr. De Vries said his top priority is trails. On invasives, to start, we can identify the invasives in our trail network, but we are not yet ready to start a removal effort. We can do an assessment, or contract for that, and then plan. Signage is not a high priority for him. On encroachments, the responses on the Cross Hill effort are positive.

Mr. Craig would focus on trails. His other #1 priority is encroachments. We have an essential role to meet our agreements. He agrees not to pursue a sign overhaul. He prefers simple signs and the Town signs are effective. There is community interest in invasives and he would like a meeting to discuss options. There may be some creative ideas and low-hanging fruit for future years implementation.

Mr. Sullivan reported that he did his site walk at Leighton Farms and the map signs are inadequate. It would not take a lot of funding to give more information. He didn't observe encroachments, but did see invasives including bittersweet. We may want to organize a local project and enlist the neighbors to remove bittersweet.

Chair Tasse supports doing trail work and following through on our permits. The Town Farm Trail is a mess and bridge #73 in Stonegate needs work/would be a good boy scout project. After trails, his second priority is encroachments. Third is signage, which could be better, leaving invasives at four. He suggested 25' from a trail as a practical limit for invasives treatment.

Ms. O'Meara offered to arrange for an informational presentation, which was offered by Andrea Southworth, and Chair Tasse declined. He noted burning bush at the red house trail.

Mr. Moore reported that Andrea presented to the rotary and recruited us to help with removal of invasives adjacent to stairs by the children's garden at Fort Williams Park. It was a big job and the town used equipment to haul away what had been removed. We would need to prioritize how we attack invasives like bittersweet, that are pulling trees down on the trail.

Chair Tasse concurred that invasives that impact the trail is where we should begin.

Mr. Craig expanded that we should also look at habitat impacts. The Fort Williams history where invasives were removed that then impacted the New England cottontail that had adapted to the shrub growth. We should approach this with our eyes open and he would like a presentation, which includes recommendations on phasing as this topic is a bottomless pit.

Ms. Ketcham wants to be mindful of budget and cost. She would eventually do a plan, but focus on our priorities.

Mr. Sullivan agreed and asked how the Fort Williams volunteer effort work?

Mr. Moore said it was well organized group of about a dozen who worked for ½ day. You need to know which tools to bring and be dressed for the difficult removal of bittersweet and multiflora rose. Public Works hauled away what was removed.

Chair Tasse noted that Fort Williams has a defined boundary and invasives on the trail network is a bottomless pit. He concurred that we need to be mindful of habitat impact on creative adaptations.

Mr. Moore noted that invasives do not produce food that local birds eat.

Chair Tasse called for a group decision on priorities. All agreed that trails was the number 1 priority. Encroachments and invasives were tied for second priority and signage overhaul was fourth.

The committee noted the list of priorities and discussed ways to get the work done.

Trails

Mr. De Vries suggested that for the next meeting, each committee member pick 1 big project from the list and 2 small projects, then plan to get them done. He would pick the Town Farm and then two smaller, boy scout size projects.

The committee discussed hiring a contractor, partnering with NEMBA, the potential for boy scouts (1 this year, 2 next year).

Ms. O'Meara suggested that the committee think about projects in the 50'-60' range for volunteers, and requests bids for a contractor to complete the 2 large Town Farm projects (210' combined). The committee agreed by consensus to seek a contractor to complete the Town Farm large boardwalks (1-49 and 1-50).

At Mr. De Vries suggestion, all members agreed to choose 2 projects in the 60' range as priorities for next month.

invasives

Ms. O'Meara was directed to arrange for an informational presentation on invasives. Mr. Moore recommended contacting Maine Audubon and Andrea Southworth has offered to make a presentation.

Signage

The committee agreed to de-escalate efforts to upgrade signage. Mr. Sullivan noted that folks aren't getting lost.

Chair Tasse would like small signs for intersections. Ms. O'Meara said that an earlier boy scout project created signs for all intersections with lat/long info, but when the signs wear out, we need to print a new one and install it, which is not happening because it is time-consuming. Her office can reprint the signs if anyone wants to install it. Chair Tasse summarized that signage needs an overhaul, but it is not now a priority.

Encroachments

Ms. O'Meara reviewed the status of encroachment efforts underway at Cross Hill. Most of the property owners have responded to a letter and many have agreed to voluntarily remove encroachments. A few encroachments are more serious, such as removal of trees on town property, so further work and potentially costs to verify property boundaries are needed. She

suggested a second letter be sent to property owners who have not responded. We probably should consider this effort for other town open spaces.

Ms. Ketcham endorsed sending a second letter and that we should continue with other town open space lands. We can also pay attention more as we do trail work.

Chair Tasse asked how much support we might get from the Code Enforcement Officer. Ms. O'Meara said his time is already oversubscribed with traditional building permit work, but the potential shed encroachment is now "on his pile." Going forward, the challenge with encroachments is locating the property line/pins, and this may require help from surveyors, followed in a few cases with permanent boundary barriers.

Mr. Craig noted the costs will likely come from surveying and vary by site. He is also concerned that tree cutting must not be allowed to set a precedent.

Chair Tasse asked if the Conservation Committee can impose fines. Ms. O'Meara said fines need to be assessed by the Town Council, and there was general consensus that an agreement to replant is usually preferable.

Chair Tasse recommended setting aside an escrow of \$5,000 for encroachment costs so we are prepared for more contentious situations.

Ms. Ketcham noted that amount will not go far. We should table this till next month.

Mr. Craig would like to get coverage in the Cape Courier that these encroachment costs are coming out of the town budget. Can someone write a letter to the editor?

Mr. De Vries can see the value of that, but when we may also be chasing "tattling."

Chair Tasse withdrew his motion. Staff will provide another update next month.

4. Greenbelt management

Spurwink Bridge and Boardwalk project. Work seems to be delayed by weather conditions, and there is a commitment to be complete by June.

Easement monitoring. Committee members will be submitting reports by the end of March.

Boat racks. Ms. O'Meara reported that there are 127 applications for 32 slots, with a deadline of Friday.

Mr. Craig asked with the number of folks that will be disappointed, has the town considered having a boat for general use. A boat would be needed, and Ms. O'Meara suggested that one of the boats removed from the racks and stored at Public Works might be used. The committee

agreed to initiate a community boat program this season. Staff will bring back the proposal for the next meeting.

Gazette. Items to include:

- stronger language about avoiding encroachments onto town open space
- reminder to avoid using muddy trails

Other trail management

Chair Tasse introduced an expected event request from NEMBA to host monthly rides on Cape trails limited to 20 riders the second Wednesday of the month from May to October, totalling 6 events.

Mr. Moore asked if it would a specific trail each time? It is expected the event application will be well prepared.

The committee recognized Ardath Dixon, CELT Stewardship Manager. She appreciated hearing the conversation around the Cross Hill encroachments and also the collaboration with the town.

5. Planning Board Review. The committee reviewed the application by CELT for an additional 800 sq. ft. of boardwalk at 498 Spurwink Ave.

Chair Tasse is concerned that the proposed boardwalk design should include at least 1 4" x 4" x 4' post supporting the middle to prevent bounce in the boardwalk.

Mr. Craig complimented the quality of the boardwalk graphics.

In response to a question, Ms. O'Meara noted that several items were missing, and that perhaps CELT had intended to build upon the earlier application for boardwalk that was approved.

Chair Tasse made a motion, seconded by Mr. Craig, to recommend to the Planning Board that the application was not complete and the motion passed 6-0. Chair Tasse also noted the boardwalk support addition needed.

Ms. O'Meara reported that the committee would likely have revised plans from the Carr Woods project to review at the next meeting.

6. Next meeting. Ms. O'Meara updated the committee that the next meeting will likely be in person as the Town Council is not expected to extend the limited emergency that expires March 31, 2022. The committee asked about hybrid meeting opportunities. Ms. O'Meara explained that the Town Council had approved \$65,000 for technical upgrades to the Town

Council chamber to support hybrid meetings. Since the committee meets the same night as the School Board, the chamber will not be available so the committee will be meeting in person unless they change the meeting night. The meeting adjourned at 8:56 p.m.