

OLD ORCHARD BEACH CONSERVATION COMMISSION

Draft Minutes

Wednesday August 14, 2013, 7:00 PM

OOB Town Hall, Council Chambers

Meeting Called to Order at 7:06 pm

Present: John Bird - Chair, Pat Holland, Kimbark Smith

Absent: Karen Brozek and Mark Koenigs

1. Minutes: July 8, 2013; Meeting minutes were approved; 3-0 vote with minor typographical changes
2. Subcommittee updates

A. Veterans Memorial Park - Pat Holland

It was noted that the dog park section of the Veterans Memorial Park has now been designated as the K9 Veteran's Memorial Dog Park. Hoping to have signs put up soon.

Boards which had rotted on the top part of the gazebo have been replaced and painted.

Basketball Courts need repair. Possibility of a grant - Jason Webber?

Problem with the dog park gates - unlocked & misaligned. Small dog got out.

People having barbeques in the Park. Special events permit needed. Broken sprinkler heads replaced?

Problem with edging the pathways. Herbicide applied badly.

Question about a new bench? Just installed without going through the Park Committee by public works to honor some one from Biddeford? All additions should go through the Park Committee. How was it paid for? "Bench memorial fund"?

B. Eastern Trail Connection Design & Permitting Steps - Mark Koenig

The RFP for design engineering of the trail went out and is due back September 12th.

Recreational Trail Grant Program mentioned. Details below:

MAINE RECREATIONAL TRAIL GRANT PROGRAM

Application Due: November 23rd, 2013

Pre-Application Site Visit Request (Recommended) Due: August 16th

The Recreational Trail Program (RTP) is a federal assistance program to help States provide and maintain recreational trails for both motorized and non-motorized use. It provides funds for a variety of trails including trails for hikers, bikers, in-line skating, water trails, equestrian use, cross-country skiing, snowshoeing, snowmobiling, off-road motorcycling, all-terrain vehicles, four-wheel driving, and other off-road vehicle use. Administered at the federal level by the Federal Highway Administration and at the state level by the Maine Department of Agriculture, Conservation and Forestry, Division of

Parks and Public Lands, RTP grants can provide up to \$100,000 for certain motorized bridge work but limits most grants to up to \$35,000 of allowable costs. RTP grants are made on a matching basis. The federal share of the project costs shall not be more than 80%. The local share may consist of cash or state-approved donations of labor and/or materials.

Potential applicants may view the Grant Manual online, or contact the Grants and Community Recreation Division, Bureau of Parks and Lands, to receive an informational packet and application. A pre-application site visit is recommended for all construction requests.

Visit the Maine Bureau of Parks and Lands website for details and the one page application. For any questions, contact Mick Rogers, Supervisor of Outdoor Recreation.

Moved & seconded for the Trail subcommittee to look into it.

C. "Kiosk" Management & content - Mark Koenig & KB Smith

No Action as yet. Deferred to Mark Koenigs, who is absent for family. Materials were bought for one or possibly close to two. Content for the Blueberry Plains? Old Booklet to be enlarged & metal Wildlife Habitat sign.

D. Wetlands Inventory Update – John Bird

NewEarth Ecological provided some sample data sheets and draft documents for the project to update the town wetland inventory which hasn't been updated for about twenty years and is unusable because a fire destroyed its maps. Over 100 wetlands found. Samples were circulated and reviewed. The members were very impressed with the detailed work. "What they've come up with is very well done." "They're doing an awesome job. This stuff's really good." "Really incredible." Latitude and longitude of each wetland is to be added to the Town's GIS system.

Question of payment - A check is available from last year's budget. Should they be paid now? A large majority of the work has been done but they haven't finished yet. Sentiment was expressed to pay something now. Maybe half owed. KB Smith moved and Pat Holland seconded that the Chair to check with the Town Treasurer as to possibilities and proceed. 3-0

3. Maine Beach Conference – KB Smith

Breakout sessions not as good or as applicable to us as the General Sessions which were built around lessons from Hurricane Sandy, a 500 year Nor'easter storm.

Important factors to reduce storm damage: Active beach management (dune planting & growing, ample sand for the beach, actively protecting the beach). Those towns that did what we've been doing, had much less damage. Huge difference. Also a big

problem in getting people to evacuate. Another fascinating thing and scary part was that three days before the storm hit, there were three different tracks predicted for its path: One was to come up, go right and cross to London; the second was a left hand turn and come up between Saco and Cape Elizabeth, which means we were it; the third was where it hit - NY & NJ. Many things not planned for such as oil leaks from floating oil tanks.

What we're doing in taking care of the dunes is good. The last big storm, they did what they were supposed to do. The water hits the dunes and gets dispersed and the dunes catch more of the blowing sand to build up the beach. The more we can do to protect and make sure that the dunes and our sand are there, against these kinds of threats, the better.

3. Saco Grant Application Support

Discussion – Something that came up in the last month - Brought over from Saco and they wanted to get OOB involved. Basically an application for money - long-range planning for management of the Goosefare Brook and its watershed (on file) to get it properly back to meeting its classification as a Class B stream. They applied last year and didn't get it due to lack of evidence of community support, so they broadened it and were asking for letters of support with very short notice (4 days), but Mark did up a letter (on file).

There are both metal (Saco) and bacterial (Saco & OOB - particularly in the Ocean Park area) pollution problems. We managed to provide letters of support from the Conservation Commission, the Town Planner, the Ocean Park Association and the Ocean Park Conservation Society as well as a number of citizens.

KB: Well, that's a "plan", but we're polluted right now and what are we doing about that?

Chair: Well, that's an immediate thing and it's on the agenda a little further down as #5, but we can take it up now.

Maine Healthy Beaches really is supposed to be for the beaches, but they noticed a problem which comes down the Goosefare and gets to the beaches sometimes. So they fortunately

went over and above what they normally do and found problems in the Ocean Park area and also a small problem in OOB way up at the NW end, but DEP is dealing with that. There are essentially two teams working on the problem: the usual team that is getting samples on the beaches in Saco and OOB and in the Goosefare estuary and there is another team that is trying to follow up in the Ocean Park area and find where pollution is coming from there. Both teams are getting sporadic levels that are extremely high. The testing that they do is supposed to come up with values no more than 10 and they're getting values like 3,000 and 4,000. Some signs have been put up in the area privately by the Ocean Park Conservation Society warning people of the problems.

KB: This is very upsetting; it should be upsetting to all of us!

Chair: Yes, and unfortunately that's a popular area. People like to go swimming there.

More discussion about the Saco planning application. Figuring out how to get the Goosefare overall back up to meet where it should be for its classification. Stormwater retrofitting, zoning changes, best practices, etc., ways to prevent more problems and hopefully improve it. The Goosefare watershed is 17% impervious surface (roads, driveways, roofs, etc. which brings the water down fast bringing down pollution and causing erosion) and the State goal is no more than 9%.

Back to the immediate problem: What is supposed to be being done?

Chair circulated notes from a meeting from April which laid out a plan of action that was supposed to ramp up in July, but didn't. Code Enforcement Officer Jim Butler said that by tomorrow (August 15), he would be sending out letters to properties within a hundred yards of the testing sites that have high values in the Ocean Park area [Didn't happen] asking to go in and put dye tablets in to the systems to make sure that they are connected to the sewer mains.

KB: O.K., but we've got to fix this - that we're polluting it locally.

A little more on the application: The City of Saco and York County Soil & Water Conservation

District will engage and cooperate with following stakeholders: Town of Old Orchard Beach, Maine DEP, Saco Valley Land Trust, Goosefare Brook watershed residents, Eastern Trails Alliance, Sweetser, Rachel Carson National Wildlife Refuge, Old Orchard Beach Conservation Commission, Ocean Park Conservation Society, Ocean Park Association, Maine Department of Transportation and the Maine Transportation Authority.

4. Blueberry Plains Use Discussion (firearms)

State law: Not to discharge firearms within 100 yards of a residential dwelling.

Probably some thing that we should notify people of on the sign. No firearms.

5. Goosefare Pollution Update – John Bird (Previously discussed under #3.)

KB: Should have been started a month ago and now it's mid August and people will be going home soon. Really upset.

Pat Holland: And people aren't aware of it. They go in and play and then they go home and a week later they are sick and don't know what happened.

6. Public Shade Trees – John Bird

An issue coming from Public works. This is a responsibility that actually the Conservation Commission has, but that DPW has been taking dealing with. Public Shade Trees are any trees that are within or upon the limits of any highways. (Stat.) All Public Shade Trees may be under the care and control of Conservation Commissioners... Conservation Commissioners may have the powers and duties of tree wardens in regard to those trees. shall enforce all laws relating to the preservation of those trees. Public Shade Trees may be trimmed, cut down or removed by the owner of the land only with the consent of a tree warden or the Conservation Commission and vice versa.

Bill Robertson referred a problem to us about town trees being cut down and wanted us to deal with it. People contacted and the trees are to be replaced.

In the future, the Conservation Commission is to be more involved with the arborist in making the decisions.

7. Volunteers - Rev3 - Karen Brozek - out sick. - surgery.

We have not fulfilled our quota on the aid station - disappointing. Some people had already signed up under different groups.

8. Education (Woodlot Tour, Certified Wildlife Habitat signs and certificates, Activities Book, Facebook, etc.)

Chair Bird presented the information that the Wells Reserve Woodlot tours will be held on Thursday, August 21st from 10 am to Noon in Wells, Maine. Cost is \$7/reservation. Kimbark Smith and Chair Bird to go.

There has been no progress on setting up a Facebook page for the OOB Conservation Commission.

Another meeting of possible interest was noted as we have a deer wintering area in Town on Town land which might qualify for a project:

LAND FOR MAINE'S FUTURE MEETING

Wednesday, August 21st, 2013

1:00-3:00 PM

Department of Agriculture, Conservation and Forestry, Augusta

The Land for Maine's Future (LMF) Board is beginning the process to update procedures and criteria for a new round of funding for land acquisition proposals. There is \$10-11.5 million available for new projects, based on cost estimates of previously approved projects.

By statute, the \$5 million bond approved by voters in November 2012 specifies that deer wintering areas (DWA) are to be given priority in the scoring of proposals (Chapter 696, Public Laws of 2011). On August 21, a work group will meet to begin developing recommendations for criteria and scoring for proposals involving DWA. This meeting is open to the public. Discussion will include: the definition of DWA, proposed scoring criteria, and management agreements for how DWAs will be managed. The DWA work group plans to present recommendations for consideration by the LMF Board at its September 17, 2013 meeting.

Agenda will be posted on [LMF website](#) at a few days prior to August 21st. The Department of Agriculture,

Conservation and Forestry offices are located in the Deering Bldg, 90 Blossom Lane, Augusta. The meeting will be held in Room 319.

Unfortunately, it is scheduled for the same day and no one could go if they went to the woodlot meeting.

We applied for and received Wild life Habitat certification, signs and certificates from the National Wildlife Federation for three of the Town's properties. To be presented to the Town Council and for posting in the Town Hall.

9. Open Spaces for OOB's Future

Discussion about an open spaces project for the Town. The property by the Milliken Mills Pond is up for sale and if it were obtained it would make an excellent recreation area. Possibilities for boating, fishing, swimming - all sorts of things out there. The building is historical (1834) and has a good number of stories connected with it. And the property obviously has conservation value in protecting the pond and the surrounding undeveloped area. Chair has talked with the Recreation Department, the Town Planner, and the Historical Society and all think that it's a great opportunity.

Kimbark Smith moved and Pat Holland seconded that the Conservation Commission support the idea. Approved, unanimously.

10. "Check-in" and further discussion of plans for upcoming year

11. Other Business

More on the need for pollution testing as soon as possible.

No other business. Next monthly meeting – September 9, 2013 at 7:00 pm at OOB Town Hall, Town Council Chambers.

Kimbark Smith moved and Pat Holland seconded to adjourn. Meeting adjourned at 8:25 pm

John R. Bird, Acting Secretary
(Submitted on 1/10/14)