

Natural Resource Advisory Board
Minutes - October 27, 2003
(Approved 11/10/03 Unanimously) *N*
Town Hall Hearing Room

Present: Doug Franklin, Chair, John Riehl, Lezli Rowell, Bill Knittle, not sworn in yet but attending.

Absent: Glenn Shields.

Attending: John Portnoy, Ben Gitlow, Henry and May Ruth Seidel, Arlene Kirsch, Gail Ferguson, Tim Hughes, Jeff Hughes, Abby Franklin, Tom Flynn, Tom Peters, Dennis Murley, and Helen Miranda Wilson.

Correspondence received: Memo from Fin/Com noting Nancy Bone as liaison;
Memo from BOS noting 11/15/03 Goal-setting meeting at the Library,
Copy of an e-mail from Rex Peterson to Doug Franklin noting references to himself in 9/30/03 minutes, and wondering "why the minutes cannot be given in electronic form".
Copy of e-mail from Rex Peterson to Arlene Kirsch (6/11/03) requesting she scan the 1995 Harbor Management Plan to satisfy a BOS request of him that it be posted on the Town website.

Distributed: Agenda, prepared by the Chair, Shoreline Land Use chapter vii of HMP hardcopy and two hardcopies HMP per requests provided by the Asst. TA, Shoreline Land Use chapter bullet points and suggested motions prepared by the committee secretary, and "State of the Wellfleet Harbor" conference brochure submitted by Abby Franklin.

With a quorum present, the Chair called the meeting to order at 7:02 pm, and introduced newly appointed member Bill Knittle. The board welcomed him to the table to participate in discussions, noting that after he is sworn in he will be able to vote. Doug complimented Bill's credentials as a chemistry teacher at the Sturgis Charter High School.

The Chair moved approval of the 9/30/03 minutes with an amendment deleting reference to a scheduling snafu on the first page, striking out the name of the Assistant TA. Lezli seconded the motion. There was no further discussion. The motion to approve amended minutes carried unanimously.

Noting upcoming board schedule, Doug confirmed the Nov. 10, 2003 meeting as reserved for follow up after the Harbor Conference and managing citizen feedback. He noted the meeting unfortunately conflicted with a BOS meeting scheduled around the Veteran's Day holiday, but that the NRAB would proceed.

The Chair noted receipt by all board members of the "Summary of Comments received by the NRAB in Public Hearings (8/16/00, 2/8/01 and 8/29/01) and Conflicts / Issues to resolve through the HMP process" prepared by Lezli for 6/3/02 meeting (and previously distributed at a 9/02 HPG meeting and NRAB meetings following the public hearings) sent out per request made at 9/30/03 meeting for another distribution.

The Chair noted that the Dec. 8, 2003 meeting will be to "kick off" the Marina / Dredging chapter review. Lezli asked whether informal requests for relevant information denied by the TA might now be formally requested, to secure the information for the Board's review prior to "kick off" - to which Doug said he preferred getting into the topic to see what information will be needed before making specific requests.

From the audience, Abby Franklin reported progress on the Harbor Conference planning, including a supportive donation of \$100 from Cape Cod Five bank, breakfast and other refreshment donations from local businesses, and the availability of a brochure outlining agenda and events. Doug noted that the Marina Advisory Committee had now voted on to co-sponsor the event.

Doug reported symposium events upcoming through the 'Friends of the CCNS' - a forest fire management discussion in Truro and a review of science in the park given in Eastham, both by Superintendent Maria Burkes on Wednesday. The Chair also announced the goal-setting meeting of the BOS upcoming and urged the board to attend.

Doug noted a memo from the Fin / Com referring liaison to Nancy Bone and the request that NRAB minutes, announcements, scheduling etc. be directed to her. The Chair asked the secretary whether minutes had been submitted to the Fin / Com, to which Lezli responded that as she submits any copy of draft minutes to the Town Clerk's office, copies are also left for the BOS correspondence file and in the Fin / Com file of the upstairs copyroom. Arlene noted that Nancy may not be able to reach minutes left for the committee this way and thought she might prefer receiving them by e-mail. Lezli noted that she does not have e-mail and through limited resource provides hard copies of minutes as produced, but would look into what support there may be at the Library.

Doug reported receiving notice from the Asst. TA Rix Peterson that the 1995 Harbor Management Plan has been posted on the Town website. The Chair also noted that Peterson would attend the Dec. 8, 2003 meeting to give updated on the public access and zoning recommendations in the '95 shoreline chapter. Doug noted inviting either Erik Mitchell or Emily Beebe of the Health / Conservation Department by e-mail to also attend this or another meeting to speak to the Shoreline chapter regarding ACEC and wastewater issues. There has not been a response yet. The Chair also noted sending out notice of this meeting to 61 e-mail addresses of individuals signed up, NGO's, the press and politicians, etc. Doug encouraged anyone wishing to be added to the e-mail list contact him. He commented that he has contacted the Cons / Com Chair, Cyndi Moe, to set up a date on which she could meet with the board. Lezli added that she has contacted Chairs of all permitting boards calling attention to the Shoreline chapter, hoping to receive input specific to the regulatory processes.

Commencing with the Natural Resources chapter, Doug introduced Jeff Hughes, the Town Herring Warden to the table for discussion. Jeff has held the appointment about two years, and wished to bring update and recommendations concerning the herring run and habitat to the board. Jeff described the current 'Notice of Intent' filing with the Conservation Commission proposing to perform a clean-up of obstructing debris and vegetation in the Herring River, working in coordination with the Town and the National Park Service to clear access up into the ponds. Doug posed the rhetorical question, "Why should we care about herring?" to which the Warden noted that the fishery had historically sustained the townspeople, that the run has reduced from the millions to thousands, and that herring leaving the estuary into the harbor drew in secondary consumer species of commercial and recreational value, such as bluefish, cod, flounder, even tuna. Jeff discussed the river's dimensional restrictions, varying from 12' width down to 2' wide in places with fallen trees and limbs acting like a "sieve" limiting ability of mature fish to move upstream into the ponds to spawn, thus reducing population. [Contrary to a local newspaper reporting the river running uphill, the advisory board is aware that the hydraulic flow originates as peak elevation groundwaters expressing as the Gull Pond complex surface waters, which drain downgradient through the Herring River system entering the Harbor - characterizing Wellfleet's estuarine ecosystem. Also contrary to the reporting, the board is aware that the herring ENTER the ponds to breed].

From the audience, Ben Gitlow asked the Warden if he maintains a herring ladder between Gull and Higgins ponds, to which Jeff responded that throughout the past couple of hundred years the sluiceway has been dug out for passage, but there is indication that perhaps a thousand years ago the ponds drained naturally due to a higher water elevation. Helen Wilson questioned whether there is any detriment to the ponds or the fish in performing the NOI work. Jeff suggested that increasing herring population into the pond may feed a larger gull population, contributing bird waste / nutrient loading. John Portnoy of the CCNS added the historical perspective that an anthropomorphic herring run into the ponds has existed for over a thousand years, evidenced in the sediment records by changes in zooplankton species remains. Some scientists take the position that the impact to landlocked freshwater ponds is a changed trophic order as herring feeding on zooplankton reduces that population and thus pressures on phytoplanktons / algae, resulting in a "greening" of the pond [shift from oligotrophic toward mesotrophic conditions]. He added that as herring which do not leave the pond die out they may contribute nutrients budgeted to the marine system, but this may not be significant, or esoteric in the perspective of a thousand year practice, or compared against the loss of herring runs throughout the Northeast.

Doug asked whether "Eastham herring" use the Wellfleet run, to which Jeff responded that typically herring born in our ponds return although the Herring River had "loaded up" when the fish seeking passage into other creeks could not enter due to low water. In response to a question about introducing herring to increase populations, Jeff said this had been done in the late 1800's at Gull pond, but as a rule of thumb the fish return to where they were born. Doug asked the Warden for a recommendation about opening the Herring River dike to promote the herring run - Jeff questioned "getting into that controversy". He recalled arriving in Wellfleet in 1976 when the river gates were broken and observing herring by the thousands moving up the river, and less subsequently as the gates were repaired. Doug asked whether there is a run in Fresh Brook, to which Jeff noted receiving calls about the loss of all amphibians there and some attempted fish run. The area behind the souvenir shops is littered with debris and obstructed by fallen trees and rocks, and on the east side of Route 6 there is a culvert draining out. John Portnoy noted that historically, the Pole Dike Creek terminated in Perch Pond to the east of Rt. 6 in northern Wellfleet, but there hasn't been any herring run due to obstruction and water quality impacts. Helen added that the construction of Rt. 6 through the area separated a smaller pond west of the highway and extending bordering vegetated wetlands toward Perch Pond, which all used to be continuous with the Pole Dike Creek - and she questions why these areas aren't part of the ACEC designation. Lezli recalled that Helen had previously expressed the interest of amending the designation to include these wetlands up through the old cranberry bog.

John Riehl commended Jeff's work but asked whether he is choosing the "easiest" over the "best" management of the Herring run in pursuing the NOI to brush out the river, rather than recommend opening the dike? Jeff responded that it could take the Town years to decide how to proceed with the dike issue and he would rather get something useful done presently; if he cannot tackle the problem from the dike upstream he could work on it from the ponds downstream. It is a matter of "choosing your battles". Tom Flynn commented "that battle isn't here yet" as the herring aren't waiting at the dike and even if opened the river still needs to be brushed to improve passage. Doug asked if there are time periods more critical to the management of the run, to which the Warden responded that anywhere from the second week in March through June, depending on air and water temperatures, the mature fish enter, while in the fall the juveniles depart. He noted that the clearing of brush is more important to allowing the Spring run of adult fish to enter as the smaller fish leaving are less obstructed. Doug asked if fish mortalities due to passing through the dike were known; Jeff didn't know of any but thought it possible as the water pressure in the passage is so high. John Portnoy added that the position of (?) Brady of the DMF is that anadromous fish are impeded by the dike structure and that the velocity created by the restricted openings limits productivity. It is thought that oxygen depletion problems have wiped out late (July) runs. Jeff commented that the longer the fish remain out in the harbor (rather than accessing the run) they become either bait or prey.

Doug asked the Herring Warden what recommendation from the NRAB would help his program? Jeff requested increased public education, continuing to gather scientific data regarding dike opening impacts in the Harbor to address the concerns of the aquaculture / shellfishing community which worries about river-bound contaminants flowing downstream and harming fishery operations and reputation. It was noted that there are community concerns of the Gut washing out, altering sedimentation patterns and salinity range increases to areas utilized for shellfishery.

Helen noted that any opening of the dike would be gradual and monitored for changes and impacts; she asked whether drought years dry out the river passage? Jeff responded that there have been occurrences where the flow reduced to a small trickle and he had set up fish ladders. From the audience, Tim Hughes commented that the dike restricts more than passage but also hundreds of acres of open breeding area through High Toss - he contended while alewife herring destined to spawn in the pond headwaters, the bluebacks prefer to breed in the embankments within the estuary, requiring area more than access. He emphasized the herring's trophic position as primary consumer and food source to secondary consumers of interest. Returning to the issue of what action by the NRAB could support the Herring Warden, John Riehl moved that the board go "on the record" in support of the application to Cons / Com; Lezli seconded. Discussion included endorsing more budget allocation to the Warden's department. The motion in support of the 'Notice of Intent' passed unanimously.

Doug encouraged Jeff to forward any other specific recommendations he may have to the board, and thanked him for his time and comments. From the audience, John Portnoy offered more explanation of the dike aperture: the larger the cross-sectional area of the structure opening, the less the velocity of hydraulic flow. This has been demonstrated with Hatches Harbor. Bill asked whether increased river access to kayakers would impact the fish run; Jeff responded that the herring would not be too disturbed, would tend to move around a kayak, and that kayakers would not start passing through the dike. Jeff also commented that it is at the Hamburg location that there are serious problems of passage to address - it is the point where the river dries in drought when water elevations drop and debris tends to collect.

Doug introduced Dennis Murley, the Chair of the Eastham Cons / Com, to the table to discuss issues relevant to Natural Resources and the Shoreline Land Use chapter, attending in place of Bob Prescott of WBWS Audubon. Doug asked Dennis to comment to the five year horizon, "What would we wish we had done to take care of Wellfleet Harbor?" Dennis noted that anecdotally he has observed increased 'mung' and cloudier water as well as reduced eelgrass populations compared to 20-25 years ago - and that these indicators are early warning signs, subtle water quality changes to be "nipped in the bud". Dennis noted that Wellfleet Harbor is blessed with a ten-foot tidal range, and that in estuaries of 3-4' amplitude, algal mats are causing anoxia, offensive odors and fishkills. He noted that with short watersheds Wellfleet is not as stressed, but should learn from the lessons of other places.

Doug asked of reports to impacted estuaries where clams lift out of the flats as water lacks oxygen; Dennis responded that at Wacquoit Bay this has occurred and it is difficult to find any marine organisms. There are algal mats blooming as early as May, also impacting recreational boating and swimming uses. The area is an example of an unhealthy estuary suffering nutrient overload. Dennis commented that septage engineering hasn't kept up with development trends, and that even de-nitrifying alternative septic systems only reduce 20% of the total nitrogen input. Lezli asked whether he thought there was any benefit gleaned from the reduced BOD and TSS associated with alternative septic system use as claimed by proprietors; Dennis did not find advanced septic treatment technologies to be the 'end all'.

Doug asked Dennis what he might recommend? Dennis emphasized continued water quality monitoring. John Riehl asked whether Dennis might note trends in populations / densities of birds, finfish, amphibians or reptiles changing over the past 25 years? Dennis responded there are less birds where there is increased human activity, that fish and invertebrates appear steady as nothing has disappeared. He called the terrapin turtle population 'heartening' and noted the seal haul-out to Jeremy's is growing annually. He thought that snakes have almost disappeared, but Lezli thought they may have just moved upland.

Lezli asked if Dennis could report changes of micro- and macroalgae species? He spoke of the increased 'mung' recalling that it used to occur as isolated, sporadic blooms; that if one tried to surf in Truro but encountered the offensive seaweed you could usually find a backshore beach in Wellfleet clear of it. There had never been much of it associated with Cape Cod Bay. Recently, it has emerged earlier, has extended range and takes longer to clear. Lezli asked whether it might be attributed to either land based septic nutrients or off-shore, ship source septic contributions? Dennis concurred with the possibilities as well as the Outfall Pipe; he recommended extensive monitoring.

Doug asked whether there is as much menhaden in the harbor as historically? Dennis answered first that shellfish, as a filter-feeding species have the ability to clear water of nutrient overloads, just as menhaden had a benefit in consuming small organisms. He noted their decline due to the exploitation of commercial factory ships, hauls have decreased over the past 20 years. He offered the anecdotal history that huge schools used to traverse the Harbor, and that blue fish used to "chase them up onto the beach". Doug asked about mackerel. Dennis considered them a more fluctuating population to track than the menhaden.

Doug asked if Dennis might recommend any critical land purchases or parcels appropriate to Open Space concerns? Dennis responded that the Land Bank alone doesn't solve anything and that in tough economic times the justification of any expenditure should be augmentation of existing conservation areas. He commented that there is no real utility in "saving the last lot in a subdivision" and also noted the futility of purchasing lands "unbuildable by statutes" such as the Wetlands Protection Act. Lezli noted that Wellfleet could have used that wisdom at several Town Meetings.

John Riehl asked if there had been eelgrass inside Wellfleet Harbor? Dennis reported snorkeling along the inside of Great Beach Hill, the meadow to the south through Smalley's Bar and seeing beds, and noting that it washes onshore. Doug asked if there is any success with planting it? Dennis reported some success by the Nature Conservancy in Long Island Sound with propagation efforts. He commented that a healthy eelgrass population adds dimension to the bottom.

John noted Dennis' comments had encompassed 'mung', increase marine water cloudiness / turbidity and loss of eelgrass habitat. He commented that water quality sampling had only gone on since the mid 1990's and he was suspicious that it would be difficult to note trends with a limited data set; he found the anecdotal observations useful contribution to the ongoing analysis.

From the audience, Tom Flynn asked whether the eelgrass is an indicator species or is the concern the loss of bottom structure; he asked what limiting factor, such as depth of sunlight penetration, defined its range? Dennis responded that the eelgrass population is under stress from an epiphytic seaweed blight - an algal covering reducing access to sunlight. He also cited mechanical damage due to dragging. He gave its preferred bottom depth range as under 10' but in very clear water up to 25-30'. Dennis noted that studies of Buttermilk and Wacquoit Bay indicate that there had been a 90% bottom coverage in 1950 and 0% in 2003. Doug asked if this impacts scallop populations? Dennis answered that the eelgrass habitat and scallop species are intricately dependent, and that "no one can make a living scalloping anymore".

Doug asked for comments regarding marine mammal stranding protocols, such as handling crowds, the press, etc. He responded to preferring press releases naming "an isolated beach in Wellfleet" to given specific location. Dennis commented that it is a tremendous waste of effort and time to tow animals out to sea - he recommended emphasis on stranding prevention. He commented to determent with an electronic device meant to keep seals out of gillnets. There was discussion regarding the practice in Eastham of keeping an open permit allowing the burial of 8 - 10 natural cause-mortality carcasses on a beach when it is necessary in the summer, as offensive odors and public health hazards are a conflict with beach use. It was noted that off-season, leaving remains to scavengers and detritivores may be preferable to disposal. However, euthanized animals should be treated differently to prevent chemicals from moving up the food chain. From the audience, Gail Ferguson questioned the leaching of euthanasia chemicals into shellfish resource areas if an animal is buried, and Dennis noted the practice in Eastham is to inter in more upland beach locations. Dennis recommended having some sort of plan in place.

Helen Wilson spoke of recently publicized cases of sonar damaging whale's inner ear tissues causing disorientation and beaching activities, which Dennis clarified as Defense Department activities in the Caribbean, since barred. She asked if there was any evidence of this causing marine mammal strandings on the Cape? John Portnoy spoke to the shape of the embayment as a "natural trap" and Dennis noted research in the Gulf of St. Lawrence to review the impact of background noise on the animals.

Doug asked Dennis to comment on herring. He noted his emphasis, as a botanist, would be on comparing the natural, meandering course of the river with ox-bows and plant communities to the "canal" approach. He had not heard this distinction addressed.

Toward the Shoreline Land Use chapter, Doug asked Dennis to comment on seawalls, revetments and other coastal engineered structures. Dennis noted the limitation of these construction activities to the Cape Cod Bay coastline (none permissible on the ocean side). He referred to a CZM tool imaging four historical shorelines of the past 150 years, noting that while some areas have eroded and others have accreted - sedimentation is less dynamic in the long run. Eastham has a relatively high percentage of erosional loss: $<1'/\text{yr.}$ on the Bay. Dennis recommended the technique of using 'sand-rift' fences to trap sand, which last about 5-10 years. The worst case scenario of a failure is spilling out of sand from behind installation onto the beach (no environmental impact, inexpensive to replace) or wreckage in a storm event (no impact, free kindling on the beach). An advantage is less heavy equipment on the beach to install than a revetment, and the technique is a good compromise between the property owner's interest to protect structures and the public at large rights to use of the beach. It was discussed that on some locations of Indian Neck, sediment deprivation has caused beach loss. Dennis recommended looking at the Eastham policy of requiring renourishment as an 'Order of Conditions' with every revetment permitted. The amount of sand that would otherwise be contributed annually from the shoreline lot to sediment transport must be matched by compatible grain size and imported onto the beach each year at the toe of the structure.

Helen asked about importing sands from upland locations and found difficulty with the practice. Arlene Kirsch asked what other Towns require revetment renourishment? Dennis thought that Mashpee might; he noted the issue can be controversial, but if employed offers protection to the property owner from storm surge losses. Arlene asked if there is either a positive or negative effect of renourishment to shellfish resources and aquaculture? Dennis responded to his difficulty using the Eastham example to answer for Wellfleet concerns as there is very little aquaculture practiced in that Town. Lezli commented to the potential impacts to productive resources or leased areas if there is scouring, or loss of sediments, resulting from revetments, or overwash of shellfish - burial by renourishment sands. There would need to be site specific study of sedimentation impacts.

Dennis concluded comparing shore lateral techniques as preferable to the outdated methods of using projecting jetties or groins to trap sediments, noting the problem of deflecting wave energy down shore and accelerating scouring. He further noted the criteria to be eligible for permitting (structure existed before 1978) limited the pool of applications and construction activity. John asked whether the shoreline adjacent to revetments would become stable on its own without renourishment, or if it would keep shrinking back? Dennis considered the chronology of existing structures: the oldest revetments at 1 1/2 - 2 hours either side of high tide still have water up on them, indicating loss of beach. He noted that what had been shacks on tiny lots once are now multi-million dollar homes constructed with multiple variances granted, obligating the protection of structures and impeding beach use. He spoke of 'long-jar tubes' filled with a sand slurry hardened like stone as an alternative to stone walls. Dennis commented that they are 'not liked in Wellfleet' as property owners need to cover over them with sands and beach vegetation to prevent UV damage to the encasing material.

Bill asked Dennis to speak to the general pattern of erosion, and why we are fighting a natural process? Dennis responded that long shore currents transport unconsolidated sands and sediments eroding in some locations while accreting in others. He noted that there is a 'pivot point' somewhere along the backshore in North Truro [from where some materials move north and northwest and are deposited on the Provincelands shoreline, or move southward depositing on the Chatham shoals]. CC Bay patterns are more difficult to generalize, as inlets, marshlands and freshwater discharges create many variables. Dennis noted the trend of extending Jeremy's Point. He emphasized that a cubic yard of material lost in one location is not redeposited elsewhere - a high percentage is lost into the ocean. Bill summarized that efforts to hold back coastal erosion processes impact the short term but are a losing battle in the long term. John Portnoy added that sea level is rising at 2 mm / year or 1/2" every 10 years currently; there is some impact even if this rate is not accelerated.

John Riehl asked of the loss of salt marsh in front of revetments - to which Dennis answered that a property buffered by marsh does not have the erosional problems which lead to request to construct revetment. In areas of Nauset Inlet and Town Cove with some coastal structures it would be hard to discriminate impacts separate of extensive foot traffic. John Portnoy added the marshlands are protected from open shore fetch. Gail Ferguson asked how to determine if a renourishment order does not endanger another property? Dennis noted that the coastline of Eastham is straightforward allowing analysis by documented long shore currents which terminate in the barrier beaches. He agreed that renourishment of one location in Wellfleet may cause an impact to another location. Concerning Lieutenant's island, he noted that the NW corner has a strong current at times causing standing waves upon the revetments, which he hasn't seen anywhere else ("don't know what the hell's going on there") while the NE corner erodes significantly due to the lost sediment transport. Helen asked why we don't promote artificial, constructed inland wetlands to mitigate storm surge and capture storm water runoff rather than the structures, noting it would be very expensive for property owners. Dennis answered that there is some tradition of this approach in Europe, including plastic kelp reefs or rock and log fill to recolonize areas - none of which would be permissible here. Tom Flynn added that an effort 20 years ago in North Carolina used heat-sealed plastic vessels in a like manner - a practice which has since disappeared. He asked Dennis if that may be regulatory? Dennis thought the installations did not withstand hurricanes, resulting in an unattenuated erosional rate over 5-10 years: it did not stand the test of time.

Doug asked the board for other interests or speakers for the Shoreline Land Use chapter? Lezli brought the board's attention to the chapter bullet points she had previously distributed, now presented with recommended motions. She reviewed the prepared material and offered to proceed with all the motions handled together, or taken separately, depending on the board's pleasure.

She emphasized the importance of getting reaction to existing 1995 recommendations from the regulatory boards as well as update to any bylaw or policy changes, and the need to generally understand the permitting as pertains to Shoreline lots. She preferred giving a deadline to receive submissions to keep the chapter on track, and facilitate reaching new recommendations.

John agreed to second the block of motions, for discussion. Doug asked whether we might prefer inviting Chairs to come speak to the board and engage in a dialogue. Lezli agreed that would be welcome and hoped each Chair, or a board representative would like agenda time - but realizing the caseloads of permitting boards she would at least like to solicit some written response. John expressed himself sympathetic to inviting the Chairs to the table, but to get the dialogue rolling he would support the first motion, of a formal letter from Chairman Franklin emphasizing any changes since the 1995 Shoreline Land Use chapter. Doug said that he was still hopeful that Emily Beebe, H/C Agent would respond to the board's invitation to give input covering the interests of this chapter. Lezli responded that as much as she is interested in the Agent responding to the board's query, she also wishes to hear from the Commission regarding their recommendations or needs for support on the ACEC issues, as well as the other regulatory board memberships. She commented that in receiving such an inquiry at the BOH, the response might be to site what new parts of Title 5 have had an effect since 1995 as well as any local regulations that are particular to Shoreline issues, and anything that might "stretch" in the direction of being useful to the NRAB. She indicated that a Chair might choose to just respond in writing, might also like to come on NRAB agenda time for discussion, or might find a board member to task the written or oral response to.

Doug agreed to the merit of this approach as a starting point; he took names of board and commission chairs to direct correspondence to. From the audience, Tom Flynn of the Coastal / Pond Access Committee noted there might be some progress from the Horsely and Whitten consultancy contract to inventory Town landings and their dispositions. While Asst. TA has assured Doug he will update the NRAB on that project at the December meeting, Tom has not yet seen a report from it.

In an amendment from the discussed package motion, Lezli reduced the content to the first and last motions given in her materials, which was agreeable to the seconder. The new motion: To authorize Chairman Franklin to send formal written inquiry to Chairs of the ZBA, Planning Board, Cons/Com and BoH soliciting specific chapter input describing any existing policies, application criteria or regulations in place pertaining to Shoreline Land Use and regulatory permitting as well as the general process of reviewing applications; authorize Chairman Franklin to send inquiry to Chair of the C/P Access Committee soliciting comments as to the status of inventoried public access and any specific recommendations as to the improvement / management to these, and to seek all responses in form of written submittal from Chair or committee designee by Dec. 31, 2003. John Riehl affirmed his second. There was no further discussion. The motion was approved unanimously, and it was noted that the remaining recommended motions would be considered at another time.

Responding to the Chair's request as to who the board should hear from for this chapter, from the audience Arlene Kirsch suggested former NRAB member Pat Woodbury. She commended his expertise and thought he could be very helpful in bringing the background information on the 1995 recommendations being reviewed. Doug answered that he had invited Pat and hopes he will become available for some agenda time assisting the board. Arlene commended the initiative to communicate with other boards and committees not just to gather input into updating the HMP but to secure relationship toward implementing recommendations in the future. While Doug found the written request 'overly beaucroatic' and preferred the informal, friendly approach to soliciting comments, Ben Gitlow commented that it will take the written notice to get a board such as the Planning Board's attention. He noted it would take that trigger to get it up onto agenda.

He spoke of the 1995 recommendation to create a Historic District which is also an action item in the LCP; he recalled discussions stalling the effort as there were concerns about excessive restrictions. He felt it difficult to reconsider now in light of the potential public water supply service into the Central district, and the implications that the Planning Board will prefer to work on. Lezli stated the recommendation may have also failed as there is not high enough percentage of State-listed Historical structures in the Central District to warrant a zoning change - she felt the recommendation could either be stricken entirely or replaced with a description of the case review by Historical Commission and Historical Review Board, as the board prefers. She noted that the issue of public water supply is not in this chapter calling the NRAB's attention to development potentials in the way the Planning Board feels obliged presently. Jeff Hughes spoke to the good intent of the Historic District designation but that it was onerous to homeowners and contractors to comply with expensive modifications.

Tom Flynn commented that boards and committees can handle specific questions being directed to them and respond better in writing, while the oral response becomes more general and free-flowing - however this can be desirable for 'brainstorming'. Tom Peters, also of the C/P Access Committee suggested questions be posed to boards and committees in a context, such as naming citations of regulation if asking how a board applies it; he suggested "building a fence" around the questions asked. Lezli responded that the "fence" for these motioned inquiries is the Shoreline Land Use chapter of the HMP [hardcopy available per request from the Asst. TA or whole plan posted on the Town website] and she realized that the response will vary from board to committee. She offered that where the content might seem too voluminous for a committee to provide written response, a bibliography or other referrals to material or publication would be an alternative. She estimated that permitting board responses might range from a page to several depending on how specifically the Shoreline is dealt with distinctly from other lands, and felt that the Chairs have the authority to delegate the task. John Riehl viewed the letters from the NRAB Chair as a helpful start and hoped it would lead to calls to bring speakers to the table.

Lezli inquired whether any members knew of Glenn's status, whether excused from the meeting or absent. It was noted that he had not contacted the Chair or any member and would be considered absent. Lezli agreed to take the distributed materials to include with mailing of minutes, when produced, to keep him informed. John moved for adjournment at 9:15 pm. Doug seconded. Motion carried unanimously.

Respectfully submitted,



Lezli Rowell