

Simpsons Point Public Access Facility Citizen's Advisory Committee

MINUTES

September 16, 2021, 6 p.m.

Members Present: Marko Melendy (RCWC), Mike Lyne (Rec Commission), James Ecker (Citizen), Jon Muench (Citizen), Will Wilkoff (RCWC) Anne Banks (Citizen)

Members Absent: Bike and Pedestrian Committee Member

Town Councilor Present: Steve Walker (District 2) (Chair) Dan Ankles (At Large)

Staff Present: Dan Devereaux (Coastal Resources Manager), Dan Sylvain (Harbormaster), Tom Farrell (Parks & Recreation) Ben Gould (Park Ranger)

Adjustments to the Agenda: Melendy recommended to move Agenda Item 3 further up on the agenda. No objections to switching Agenda Item 2 and 3.

Minutes: (2:10) Melendy noted that he thought he had voted against agenda item 1. Minutes accepted unanimously with clarification on the Melendy vote.

Correspondence: (2:30) Anne Banks stated that she has correspondence, it is related to the private property agenda item, and she offered to save it for that discussion. Devereaux had verbal correspondence with the Chairman of the Marine Resources Committee Cody Gillis. Gillis mentioned that there is concern from local fishermen that if the site becomes so popular that it will cause issues with commercial clambers parking there. Melendy clarified that although his seat on this advisory council is occupied by his appointment as the chair of the Rivers and Coastal Waters, he also serves on the Marine Resources Committee and has heard these same concerns from fishermen. Sylvain stated that there are fishermen that routinely use the parking area at Simpsons Point. Ecker suggests dealing with this when and if it becomes an issue but acknowledges that this could be an issue. Walker suggests that having one parking spot and a sign that is dedicated to commercial fishermen at low tide. Lyne suggested that commercial fishing must be recognized as a site activity and should be taken into consideration on all recommendations that are being made by the Advisory Council.

1. **Recap recommendations (10:36)**

Walker provided a brief recap of the Advisory Councils recommendations:

- Codify swimming can occur at the site
- Keeping the facility as it currently operates
- Keeping the parking as originally designed for 15-18 cars, keeping with the character of the neighborhood
- Improve existing NO PARKING signage
- Extend NO PARKING from the end of the existing permitted parking to Pennell Way
- Add two additional bike racks for a total of three appropriately placed.
- Designate a handicapped parking spot nearest the ROW/ramp.
- Striping the eastside of the Simpsons Point Shoulder Parking

2. **Animal Restrictions (12:25)**

Walker stated the Advisory Council received correspondence from the Animal Control Officer Heather Brown that the Police Dept. has not received any dog complaints surrounding the site in the last five years. She recommends leaving the existing leash laws in place. She did recognize that enforceability at sites in rural Brunswick are difficult to cover because of the response times. Tom Farrell stated that dogs off leash are one of the major concerns at all the town recreation facilities, and that the problem is not specific to Simpsons Point. He went on to describe the different dog complaints he has received at the Recreation and Rivers and Coastal Waters Commission meetings about the dogs off leash at Simpsons Point. Farrell stated that even though complaints may be received through the commissions, no one is calling law enforcement to address the behaviors. Farrell suggests that until the issues are addressed through law enforcement it will be difficult to get the public to comply. He summarized ACO Browns letter in short as saying leave the existing laws as they are and when violations are witnessed to please call the police department. Park Ranger Ben Gould reiterated that dogs off leash is a town wide concern. In reference to Simpsons Point and his experience at that site he stated that dogs off leash was not in his top five issues he deals with. Melendy stated that he has witnessed dogs off leash when he has visited the site in the past. He went on to say that just because its not being reported doesn't mean its not happening and the town shouldn't ignore that it is happening just because it's going unreported. Furthermore, Simpsons Point Ramp is not very big, allowing dogs leads to access congestion and is problematic and not safe for many in the public, particularly during the peak season. He suggests following the most common seasonal NO PET time frames followed by many other area towns, April 1st through October 1st. Banks stated that she sees many people enjoying having their dogs with them and doesn't witness many issues at all. She suggests leaving the current regulations as is. Ecker points out that if it's difficult to enforce the current leash laws and asked how it will be any more easy enforcing seasonal or time constraints. He believes it's a public education, signage and enforcement issue. He suggests seeing if there are any other towns with similar small space and how they deal with these types of user conflicts. Devereaux indicated that he visits Simpsons Point regularly and usually sees someone walking down the road with a dog on a leash. Devereaux would like to know where the towns ordinance jurisdiction would start if seasonal and time restrictions were adopted to prohibit dogs from the site. Walker clarified that the towns jurisdiction is from the ramp leading to the water at the end of the road and on the newly acquired parcel of property (formerly the Cornell property). Ankles indicates that the town needs to try to enforce the current leash laws and provide more education, signage and warnings. He stated that jumping to a complex seasonal and time restraints doesn't seem appropriate for this site at this time. Melendy reiterated that he doesn't feel that using the reporting occurrences as a metric to establish rules is efficient because people are not reporting the violations but there have been several public conversations surrounding dogs on site. Melendy explained his family's personal experiences with dogs off leash and how it has interrupted family outings when it shouldn't have. Devereaux suggests starting with education and signage first. He suggests clear and bold print signage that asks the residents and users to report ALL dogs off leash and provide the number to call on the sign. Devereaux states the town can do a better job educating and enforcing. Wilkoff stated that the education and enforcement should extend to all town sites. Signs asking citizens to report dogs off leash should be at every town facility where dogs are present.

Walker suggests a motion that states: Leaving the leash law as is, increasing educational signage, installing new signage asking the public to report all dogs off leash, use Simpsons point as a model for signage, eventually extend signage to ALL town recreation facilities. Melendy stated that he doesn't believe that increased signage and education will make a tangible effect on people's behaviors. The only way to ensure no conflicts is to create a safe space where there are no dogs. He argues that having a seasonal dog prohibition is not a complex system of rules. Officer Sylvain states that if leash law violations are addressed by law enforcement, the word will get out and people's behaviors will change. Officer Sylvain stated that stepped up enforcement may also help. Ecker agrees to increasing signage and asking the public to report dogs off leash.

MOTION made by Ecker to add signage to report dogs off leash and provide a phone number for the public to call. Seconded by Banks. No discussion on the matter. Ecker, Banks, Muench, Lyne, Wilkoff, Ankles, Walker in favor, Melendy opposed.

Ecker and Wilkoff suggest model signage (report all dogs off leash) be developed and deployed at all town recreation sites.

3. Private Property (35:11)

Walker provided a brief history of the Advisory Councils discussion surrounding abutting private property and trespassing. Banks described a recent incident where people from the public had hung straps for hammocks in trees along Pat and Ben Fords shoreline. Banks indicated that this was upsetting to the Pat Ford. Banks indicated the hammock straps have been removed and the perpetrators were not identified. The Fords have been generously accommodating the public access on a small portion of their private beech for many years, but the above incident extended to beyond the beach area. Banks stated that the Fords have been agreeable to allowing access to the small beach south of the ramp in the past, but that people are becoming more and more bold. Banks indicated that she believes the Fords would be fine with the town posting NO TRESSPASSING signs at the proper locations on their property. Walker asked staff if it was appropriate to sign property that doesn't belong to the town. Farrell suggested that posting property at the property lines is the most appropriate. He suggests that the property be posted on either side of the ROW ramp. Farrell stated he would have to check with the town attorney on any implications for posting no trespassing signs on private property at the request of the owner. Melendy suggests that the private property be identified using signage such as end of public access posted at the property lines. He suggests that this type of signage may help people identify where the boundaries are. Wilkoff asked about fencing and whether the Fords may be amendable to fencing. Fencing or some type of physical barriers can have a more pronounced impact on trespassing than signage. Devereaux showed a map of the area to help orient folks with property boundaries. Devereaux agrees with Farrell that posting at the property lines is more appropriate. Muench stated that he is experiencing the same type of intertidal trespassing on his property. He indicates that its not uncommon to see people using the ledges in front of his shoreline. Muench states that since the town purchased the property there has been more trespassing on his shoreline. Walker suggests the newly acquired town property have a boundary survey conducted as soon as possible and all the property boundaries should be marked with END OF TOWN PROPERTY! Walker indicated that this would help address Muench's trespassing concerns but the Ford property on the southside of the road is more complex. Ecker suggest that the town work out with the two landowners what would be the best action to take to address trespassing. He suggested that a sign stating respect private property may be positioned appropriately on the Fords property that would still allow access to the small beach area at the same time drawing attention to the private property owners wishes. Muench clarified that the Fords seem to still be okay with the public using a small portion of their beach on the south side of the ramp and that it's the sprawl of the beachgoers westerly along the shoreline that has them concerned. Lyne stated that he would defer those folks that live in the area and use the site the most however based on conversation he stated that he thinks the Advisory Council should consider a hold and improve strategy versus a repeal and replace. Lyne warned that too many changes all at once can change the over experience of the user. He agrees with the recommended changes thus far but cautions about to many changes at once. He agrees working with the existing landowners to address trespassing and a deploying a more intense public educational effort seems most appropriate. Melendy asks if the town has reached out to the Fords to see about how the property boundaries should be identified. He also suggests that there may be opportunity to obtain an easement over certain parts of the shoreline if agreeable by the Fords. Devereaux suggests installing a kiosk at the newly acquired property, he believes this may help direct user traffic to the town's property and beach area.

Walker suggests and the town mark the boundary of the newly acquired property and work with the landowners (Muench) on appropriate signage. He also suggests the town set up a meeting with town staff and the Fords to gather more information on their desires.

Ecker asked how many more meetings the Advisory Council needs to hold to accomplish the recommendations listed in the Town Councils charge to the Advisory Council. Walker reviewed the charge and suggested two or three meetings.

4. Educational Programs (56:10)

Item tabled for future discussion.

MEETING ADJOURNED 7:00 PM