

Old Orchard Beach Conservation Commission Minutes

Monday May 11, 7:00 PM

Town Hall

Attending: Kimbark Smith, Barry Jackman, Mark Koenigs, Charlie Backus, Cynthia Nye

1. Updates by Members

Trails

Mark walked Milliken Mill Woods Trails. The new housing area is under development.

Trail Grant

Mark emailed the application file to Kimbark and Mary Pat but no progress yet, partly because the Town Manager position is in transition. Can we get something in for a Town Manager signature so we can get it submitted and keep working on details?

Milliken Mill North kiosk

Mark picked up the broken kiosk from Public Works. The posters are intact. Mark will repair it when he has a chance. He has materials to build three new kiosks. He will need to purchase more materials to install them. Brooks Bowen, high school shop teacher, is out on leave and can't help this spring.

Budget Meeting

Mary Pat attended May 6 and said it went well. The council is supportive of ConCom.

Composting Meeting

On May 13, Mary Pat, Kimbark and/or Mark will attend the Town Council meeting to advocate for a town composting station run by Casella.

Piping Plovers

Several nesting areas are marked by stakes and twine on the beach. Charlie has noticed more dogs on leashes instead of loose.

Dune Restoration

Beach grass is growing where new plugs were planted on the west side, toward Goosefare, and some new beach grass is growing on the east side. The plugs were put in by a contractor through the FEMA grant. Both sides were protected by stakes and string. On the east side, people appear to have cut the strings and removed the plugs in front of their walkways over the dunes. Fines aren't being enforced. Mark will follow up with the Town Manager.*

2. Good and Welfare

Dune Restoration Question

Q: How do we step up and educate people about the value of having dunes and dune vegetation in front of their homes?

A: First step: Mark will find out what the FEMA grant plan was and report back.**

Water Testing

Maine Healthy Beaches water testing training is this Thursday, May 14. Charlie Backus collects samples, Larry Meade records the data. They sample in four places between the Brunswick and Goosefare.

Meeting Adjourned 8:00 pm

Minutes submitted by Cynthia Nye

Kimberly G. Smith, Chair OOB Conservation Commission

Follow up notes from Mark Koenigs:

*According to the Town Manager's response, the town partnered with York County EMA as part of FEMA disaster recovery. Anchor QEA is the engineer of record. Town Mgr understood these paths were already in place, with grass planted in the same areas. There are posts up with twine to protect the areas. My initial email did not ask about the enforcement of the Dune Protection signage, "Help Protect and Save our DUNES Please do not walk on the grass \$1000. FINE". I am sending a follow-up reply, today.

** The town website shares Anchor QEA's Category B Project Summary Report. Review using CoPilot states that the report only justifies the emergency replacement of loss dunes and doesn't cover "paths". Paths are not directly covered under ME DEP NRPA Chap. 335 Coastal Sand Dune Rules. The rules do require a permit to disturb Frontal Dunes. Any path through a dune is a regulated activity.

Section 6 Frontal Dune Stds:

Frontal dunes are the most protected area.

New disturbances (including paths) are generally prohibited unless they meet strict criteria such as:

- No unreasonable erosion
- No destabilization of the dune
- No increase in flood risk
- No impairment of natural dune migration
- Pedestrian paths almost always require justification under these standards.