

## Simpsons Point Public Access Facility Citizen's Advisory Committee

### MINUTES

August 19, 2021, 6 p.m.

**Members Present:** Marko Melendy (RCWC), Mike Lyne (Rec Commission), James Ecker (Citizen), Melissa Archbell (Rec Commission), 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) Heather Brown (Animal Control)

**Minutes: (1:30)** Ecker notes a correction to the 8/5 minutes; the absence of a representative from the Bike Pedestrian Committee should be added. No other comments on the 8/5 minutes.

**Correspondence: (3:10)** Walker read aloud an email from a citizen user, suggesting a ramp and float be installed to allow more access to the water for swimmers and angle parking if possible. Ecker relayed information from an email he had received asking to relay four concerns. Limit the number of cars, the road is too narrow to accommodate more parking or passing traffic; Consider eliminating late hour use of the parking area, suggestion of signage and enforcement; Post and enforce speed limits, since the new paving the speeding has increased; Enforce leash laws. Melendy spoke to Ms. Ford (Simpsons Point Residents who seemed please with the way the new parking and paving has been working and believe it has solved the emergency vehicle access to the end of the road. Ms. Ford advises there are still people using parts of her property, Melendy suggested more signage to help deter this activity.

#### 1. **Overview of Recent Repairs & Site Walk (9:38)**

Farrell stated that his maintenance crew worked on the landing at the end of the road for three days. Indicated that the repairs were more challenging than initially thought due to the serious degradation of the planking. Farrell explained in detail the repairs. Gould stated that regardless of the repairs he still received a complaint that the surface is hard to walk on. On August 19<sup>th</sup> MDOT SHIP (Maine Department of Transportation Small Harbor Improvements Program) Grant Coordinator and Devereaux conducted a site walk of Simpsons Point. Devereaux explained that Walker had put in a letter of intent to apply for a MDOT SHIP late last year to make the needed repairs to make the area safer for public use. During the site walk Devereaux showed and informed him of the repairs and possible infrastructure needed. MDOT indicated that the repair projects to the ramp and any new additional infrastructure that provides public access to ocean can be funded with MDOT SHIP grant funds if the project is selected. To get funding this round the town would need to act fast and supply a budget and preliminary engineering. However not doing it this year doesn't preclude the town from applying for those funds in the future. The SHIP grant is offered annually and requires a 50% match from the applicant/town. Ankles asked if funding for this type of project can be included in the Towns Capital Improvement Plan. Tom Farrell suggests there be more discussion on the project type and scope before its added as a town CIP project. Devereaux explained that MDOT has offered to revisit the site with more additional town staff. Devereaux will try to schedule. Ecker states that he believes these funding opportunities are great, albeit premature. He states there needs to be clarity and agreement of the overall plan and vision of uses at Simpsons Point, as well as capacity before any funding needs can be properly assessed. Walker indicated part of the advisory council's charge is to comment on the facility design. Ecker stressed that misuse and overuse can lead to more restrictions and less

enjoyment for the residents of the area as well as the public users. Muench reiterates that capacity is a concern of many area residents. Melendy confirmed that capacity at the site is concerning. He also recommends this council consider doing what it can currently do to address the conflicts and other issues without considering improvements that require funding.

## **2. Overview of Town Owned Parcel and ROW (20:14)**

An electronic display of the towns tax maps was displayed using the following link: <https://www.axisgis.com/brunswickme/> Devereaux explained the property boundaries and pointed out some areas of high usage that are not part of the Town's parcel or ROW. Different points of reference were pointed out to council members as they inquired. Devereaux explained the new parking was constructed in front of the town owned parcel, referenced 4C in the display. Ecker pointed out a recent incident on an evening large tide where vehicles had filled the newly extended shoulder parking and other vehicles continued parking further North on Simpsons Point Road. This overflow parking north of the extended shoulder parking is now causing the same concerns about emergency vehicle access that led to the creation of the extended shoulder parking. The parking problems are being pushed further north where roadside parking is not illegal. Melendy stated that the Recreation and Rivers and Coastal Water Commissions joint task force discussed the need to have safe passage for emergency vehicles, but also spoke of maintaining as many parking spots as possible for the public. Melendy suggest that identifying the shoulder area north of the extended shoulder parking where there is no longer concern for Emergency vehicle passage. Walker suggests that Officer Sylvain go back to the public safety agencies (PD & FIRE) and try to determine this location. Wilkoff stated that when the parking is full the area is at vehicular capacity and the advisory council should be focused on how to deal with those vehicle capacity issues. Wilkoff suggest efforts be spent to change people's transportation habits to this location. Walker agreed that the council should consider finding ways to encourage more pedestrian and bicycle usage of Simpsons Point. Melendy and Ecker suggest additional bike racks be positioned at the site. Muench stated that capacity is not only an issue for this site but many public access sites along the coast of Maine. Ecker states that there is many places in Maine that have limited public capacity for a variety of reasons and when those facilities are at capacity there is no other options and people usually go somewhere else. Anne Banks suggests consideration for hours of usage and provides examples of parties at all hours of the night. Sylvain stated that the town ordinance already prohibits people in certain public areas, Simpsons Point included, past a certain hour at night. Walker asked if an access gate could be installed across the road to control access. Farrell suggests that installing a gate may be an option, however in his experience installing gates at other facilities around the town, this option may not address the off-hour usage as much as anticipated. Farrell stated the best way to discourage off-hour usage is with enforcement. Devereaux asked if parking could be prohibited on both sides of Simpsons Point Road up to the Penneville Road. Devereaux states that by prohibiting parking on both sides of the road it may help encourage those folks who know parking is limited to bring their bicycle with them and park on the Penneville Road and bike the remaining half mile down to Simpson Point. Ecker suggests that neighbors be allowed to call tow trucks on those cars that are illegally parked alongside the road. Melendy stated that installing a gate doesn't seem like the most sensible use of the limited amount of funding that the town has for this site.

## **3. Seasonal Boat Use (54:05)**

Walker provided a brief history of the boat launch closure and stated that the closure was based on eelgrass mitigation plans developed for the Mere Point Boat Launch. Furthermore, he stated that the Marine Resources Committee, the Rivers and Coastal Waters Commission and the Brunswick Town Council has all, over the years, requested the Maine Department of Environmental Protection consider reopening the boat launch in the off season. Walker suggested that the council take a straw pole to see if this were something the committee would like to make a recommendation or not. Walker explained this use is not explicit in the advisory councils charge but has implications when trying to determine other uses and capacity at the site. Anne Banks stated on behalf of the Penneville neighborhood they

do not want the boat launch open to airboats. Ecker suggests that this agenda item should be discussed in more detail at a future meeting. Walker agreed that this item should be discussed at the next meeting. Ecker suggest that staff provide the advisory council with any historical correspondence with the town requesting consideration to reopen the boat launch in the off season.

#### 4. **User Policies (58:54)**

##### **-Swimming:**

Currently swimming is occurring at the site but is not allowed by ordinance. Farrell suggests that aligning the town ordinances with current uses taken place at the facility is important for several reasons. Staff would ask that the council make a recommendation to change the ordinance to allow this usage to legally occur at Simpsons Point.

Walker stated that this issue seems straight forward, and he would like the council to make a recommendation tonight. Ankle stated swimming "legally" at this site has been an issue for a long time and that he would really like to see the council make a recommendation to allow this activity to occur sooner than later. Melendy pointed out that if the council makes the recommendation to allow swimming does it impact any future decisions on reactivating the boat launch for off season use. Walker suggest that the timeframes somewhat self-preclude that those activities as they will seldom co-exist. Ecker suggests that swimming and boat launching is the only conflict he can see. Melendy reiterates his concern that deciding to allow swimming should not preclude further discussions surrounding an off season opening of the boat launch. Devereaux states that by exempting swimming through ordinance from a non-active boat launch precludes further discussion on its opening. He states ordinances often change as the usage of facilities and habits of the public change.

**ACTION ITEM: Wilkoff makes a motion to recommend to the town council that the ordinances be amended allow swimming at Simpsons Point. Second by Ecker. Unanimous of the council.**

##### **-Presence of Pets:**

Farrell explained that there has been research conducted by town staff and other town committee members on what other communities are doing to control dogs on site. Many other towns who have accessible beaches have limited the presence of animals during certain hours and certain time frames. Walker pointed out that there is already a leash law in existence for the entire town. Farrell indicated that it makes sense to limit dog exposure to people during the high usage periods. Ecker asked for clarification on the definition of Simpsons landing. Farrell explained that he believes the landing includes the ramp area from the bollards seaward. Brown stated that she knows the Town Recreation Department has received complaints about dogs, but the Police Department has not officially received any complaints from citizens about dogs running at large at this site. Brown stated that she does not have recommendation one way or the other on this issue. Gould indicated these situations exists at other town facilities. Gould stated that people are having a hard time understanding the towns lease laws and that it the issue gets convoluted when dogs are using the area in the intertidal and are off leash. Gould stated he has received complaints this summer from users about dogs off leash. Farrell explained a myriad of complaints the recreation department has received over the years. Melendy emphasizes that there has been a lot of discussion around capacity and it seems to be there is little capacity for the public let alone their pets. Walker stated that this topic will be tabled due to time constraints and discussed further at the next meeting.

MEETING ADJOURNED 7:18 PM