

Ordinance Committee Minutes

November 14, 2019

Present: Councilor Cahan, Councilor Asherman, and Councilor Hemphill
Staff: Nathan Poore, Kimberly Darling, and Marguerite Fleming
Conservation Commission: Nancy Lightbody, Chair

Councilor Cahan began the meeting at 10:30 am.

1. Approve previous meeting minutes.

Councilor Asherman motioned to approve the minutes; Councilor Hemphill seconded.

Motion carried unanimously.

2. Short-Term Regulation Discussion.

Bruce McCaskill, a representative of Host Compliance (short-term rental regulation enforcement company), remotely delivered a presentation on the short-term rental landscape in the United States and Falmouth and Host Compliance's service offerings.

The Committee was interested in moving forward with some form of short-term rental regulation.

The Committee decided to have staff deliver an educational presentation on short-term rental regulation at the January 13 Town Council meeting. The Council will be asked to provide policy direction to the Committee.

3. Review Draft Pesticide / Fertilizer Resolution and Ordinance.

The Committee discussed potentially adding restrictions on fertilizer application and registration/reporting requirements to the ordinance. Committee members discussed whether reporting use would yield meaningful data. Ms. Darling said that reporting would allow the Town to know whether there were use violations and whether the education component was working. Mr. Poore suggested adding a sunset provision to the reporting requirement that would require the Council to revisit it down the road. Ms. Lightbody talked with specialists who were supportive of the reporting requirement and offered to potentially present at a Council meeting.

The Committee discussed issues with potential subjectivity surrounding the fertilizer application restrictions. Ms. Darling and Ms. Lightbody will work on adding objectivity to the application restriction section by defining "satisfactory evidence". The Committee scheduled another meeting for further discussion on December 4 at noon.

The Committee discussed possibly phasing in the fertilizer application restrictions or completing the education program first. The Committee favored introducing the ordinance with the application restrictions and receiving public feedback.

Tentative next steps will be for the pesticide/fertilizer resolution and ordinance to be introduced with a presentation by the Conservation Commission at the December 9 Council meeting. There will be a presentation by specialists at the January 13 meeting. The public hearing would be held at the January 27 meeting. The order will be scheduled for the first meeting in February.

4. Next meeting date

The next meeting is scheduled for Wednesday, December 4 at 12:00 pm. A second December meeting will be held on Wednesday, December 11 at 1:00 pm.

The Committee scheduled January meetings on January 16 at 8:00 am and January 30 at 8:00 am.

5. Adjourn

The meeting adjourned at 12:50 pm.

Minutes prepared by Marguerite Fleming