



## COMMUNITY DEVELOPMENT COMMITTEE (Town Council Sub-committee)

### Members

Ted Asherman  
Claudia King  
Aaron Svedlow  
Hope Cahan (Alternate)

### Staff

Ethan Croce

### Meeting Minutes

Tuesday, November 13, 2018– 5:00 pm  
Large Conference Room, Town Hall

#### 1. **Call to Order**

The meeting was called to order at 5:00 pm with Councilors Asherman, King, and Cahan in attendance.

#### 2. **Approval of 10/22/18 Meeting Minutes**

The minutes from the 10/22/18 CDC meeting were unanimously approved.

#### 3. **Discussion on Highland Lake Leadership Team's Proposed Ordinance Concepts Related to Highland Lake Water Quality**

Chair Asherman thought it would be appropriate for the CDC to issue a recommendation to the full Council on each of the HLLT's five regulatory proposals. The intent would then be for the CDC's recommendation to be provided to the Council prior to the Council's 11/26 meeting on this subject. Having the CDC submit a recommendation may help structure and facilitate the conversation at the Council meeting.

Dennis Brown, HLLT member, stated that some of the five recommendations might not necessarily be ordinance issues, such as the recommendations to conduct periodic photo inventories of the lake and the proposed requirements for third party reviewers. Mr. Brown said that the HLA can provide a boat for whoever ends up conducting the photography work. Ethan Croce mentioned that he called the Lakes Environmental Association, the group referenced by HLLT as the ones doing shoreline photo inventory work, and found out that the geo-reference program formerly used by their organization to easily identify where photographs were taken on the lake has been discontinued. It is unclear what other options may exist to make sure the photo-retrieval effort is efficient. This will take some investigating, as will determining what options exist for different entities to perform the photo work.

Councilor Cahan said that she is generally fine with the idea of letting staff work out the detailed logistical options for this work and wanted to be cautious about not micromanaging the effort. She pointed out that technology changes quickly and that there may be other options that have not yet been considered, such as drones by way of example. Mr. Brown said he believes the

photo work will have preventative benefits as much as enforcement benefits since people will increasingly become aware that the towns are watching their shorelines for violations. The CDC recommends staff work on implementing this with close coordination with the Town of Windham.

Regarding the HLLT recommendation to require third-party reviews of certain developments, Mr. Brown suggested that the Town consider applying this concept town-wide to support all waterbodies. Ethan recalled a discussion at a prior HLLT Ordinance Subcommittee meeting where there was concern expressed on the part of several people about expanding the geographical scope of the HLLT effort beyond the lake watershed. There were concerns expressed about “mission creep” and about diluting the message of environmental protection around Highland Lake. The CDC agreed that it would be better to stay true to the original scope of the Highland Lake initiative which is just the lake watershed. Then, if some of the concepts are found to be successful over time, the Town can always consider the transferability of some of the concepts on a larger scope.

Regarding the HLLT recommendation regarding manure regulation, Mr. Brown said that the HLLT determined that the biggest source of phosphorous in Highland Lake is the horse farm in Falmouth off Babbidge Road. He said that there are no details yet developed around what regulations would look like. He said part of the problem is that the state’s regulatory program only is triggered by operations with at least 50 animals. HLLT would like to regulate much smaller operations perhaps down to as few as five animals. Chair Asherman thought this recommendation makes sense but needs further analysis and input. Mr. Brown said that Jeff Dennis is a biologist at DEP who has studied Highland Lake for 40 years, has been an active HLLT member, and would be happy to provide input on this topic. Councilor Asherman suggested that staff could explore different options and bring the results of that work back to the CDC in the future.

Regarding HLLT’s recommendation about stormwater BMP inspections, Mr. Brown said that DEP is understaffed and correspondingly incapable of diligently following up on these inspections. The key is to have a professional review the work to certify that the BMPs are operating as intended. Mr. Brown said that he wasn’t aware of Falmouth’s existing requirements for post-construction inspections and said that the Town should not have to assume any inspection burdens under the EPA 319 program either.

The final HLLT recommendation is to decrease the amount of phosphorous export allowed by larger developments. Mr. Brown said that the DEP recently tightened their phosphorous standards because they believed that the allowed phosphorous budget levels for developments near Highland Lake were too high. Having the Town lower its export levels correspondingly will capture some smaller projects that DEP does not regulate.

The CDC agreed to forward a positive recommendation on all five issues to the full Council with a recommendation that staff begin working on options for implementation and, when ready, bring those options back the CDC for refinement.

4. **Temporary Sign Ordinance Discussion**

After discussion about public fora and challenges around temporary sign enforcement and education, the CDC recommended forwarding on the current draft of the ordinance to the full Council with no additional changes.

5. **Route 100 Zoning Discussion**

This discussion was deferred to a future meeting due to time.

6. **Other Business**

There was no other business.

7. **Next Meeting Date**

It was requested that staff send out a Doodle poll to schedule a future meeting date.

8. **Adjourn**

The meeting adjourned at 7:15 pm