

4/12/18 Highland Lake Leadership Team Meeting Minutes

Location: Windham Town Hall Conference Room 1, 10:00am

Members Present: Dennis Brown, Kim White, Rosie Hartzler, Chantal Scott, Nathan Poore, Nancy Lightbody, Kimberly Darling, Tony Plante, Donna Chapman, Tom Peterson, Gretchen Anderson, Wendy Garland, Heather True and John MacKinnon by phone.

- 1. The meeting was called to order**
- 2. The Minutes from prior meeting were approved**
- 3. Response to Public Forum**

The overall sense was that the Public Forum was good for those who attended, but the audio and visual quality on line was marginal at best. There was a good turnout for a snowy night.

It was shared that the urgency of the lake condition was not emphasized clearly enough. For those who already are aware of the problems, the presentations didn't add anything new, but for most of the audience, this was new and a key step in the ongoing effort to communicate how each person in the watershed impacts the lake. The Q&A portion of the meeting became the most important and showed clearly the level of understanding that many of the participants have. There was an increased sense of energy during the Q&A, and that may be a key to future communication efforts. It will take a great deal of effort in many forms to raise the overall understanding of the residents within the watershed.

It may be beneficial to hold another forum after the watershed information has been analyzed. Later in the summer before Labor Day when we still have most of the summer residents would be a good time to have a second forum.

The plea for volunteers was very well done and resulted in over 50 new volunteers for various efforts to help Highland Lake.

The Towns agreed to put the video from the forum on their media outlets, and the thought of sharing with the media is also a good idea. The current version of the video is much better than it was trying to watch the forum live.

4. Discussion on Committee Key Activities and Timelines

- E&O Committee**

A listing of roads and road association contacts was put together and several committee members were assigned specific road associations to contact to validate our database.

Maine Lakes Society may collaborate with the group to do buffer projects. Falmouth High School students need to do community services and may help as well.

A Timeline was developed for the next 6 months.

April—road associations

May—technical assistance from DEP

Late May-June—focus on residential topics and road association topics

July-August—May be a second road of these meetings

September-October—educational meetings and trainings

Topics may include:

1. How to form a Statutory Road association
2. Towns vs. private roads
3. Topics/issues the associations may have.

A new website for the HLLT is being developed by Gretchen and Kimberly outside of the town websites, but they will be linked to the towns, DEP, CCSWCD and HLA websites.

Chantal has been working with the Maine Lake Society to implement their Lake Smart program on Highland Lake. There is training on the implementation of the program on **June 9th**. The 6-hour training session will prepare the participants to do buffer projects and help lakefront homes to become a “Lake Smart Property”. After the training is complete, members can train other people. Another related program that Chantal is leading is to offer some dates and times where volunteers would do 3 hours of buffer projects—community projects where residents would supply the plants and the volunteers would plant them. Once complete, the homeowners could go back to Maine Lake Society with a scorecard to see if their home now qualifies for being “Lake Smart”. If the Home qualifies, they would be awarded a recognition sign to put in their yard. This is a volunteer program, not a mandated thing. The requirements to qualify for the sign includes five categories. Completing four categories out of five achieves recognition but a site must meet all five categories to get the sign. This effort is trying to reward the right behaviors, which increases awareness and makes people more conscious about their properties and how individuals play a role in the quality of the lake as a whole.

There is a presentation online which explains the entire program. Committee discussed the option of tailoring this to Highland Lake’s specific needs.

The HLA’s newsletter reaches 233 people.

Out of 25-30 roads, there appears to be 2 corporations, 3-4 statutory road associations and a few informal ones. Over half of the roads have no form of

association at all. Whatever information is gathered will be used to move forward. Better to start with those who are organized and interested than to wait until we have all the road information.

- **Ordinance Committee**

It was reported that the attorneys for Windham, Pretty Flaherty, represented both the proposed Highland Views development and the Town, so a separate attorney has been hired to assist Highland Lake issues and review any proposed ordinance changes.

John McKinnon reported that there has been a lot of ground covered so far relative to ordinance recommendations, but no Committee vote has taken place so far on any of the discussed ordinance.

Issues that have been discussed include:

Manure management plan—regulated at the state not local level, one thought is to reduce the thresholds to as few as 5-10 livestock rather than 50.

Private roads—how do we get private road associations and groups to manage their roads? Perhaps using the current taskforce in Windham on private roads to also incorporate environmental concerns in addition to safety into the requirements to have the road plowed by the Town. Include someone from the Ordinance Committee on the Windham Private Road Taskforce.

Consider shoreland zoning training for both towns—not just education but to raise awareness that this is a very important issue. Have the Towns identify potential violations through a review and process of notice, assistance, and then with no response to then write a violation, just conceptual right now.

Identify all BMPS in the watershed— those with 319 funding as a result with the survey and watershed management plan. They should require a 5-year recertification. We may want to consider possibly proposing 2 years for the recertification, more stringent at the local level than the state level.

Identify direct discharge systems—detect the systems, and fix them

Consider phosphorus and fertilizer reductions and their use around lakes, Maine has very weak rules compared to other states.

- **Watershed Committee**

Watershed survey is planned for May 19th.

John MacKinnon reported that USM students have assisted with maps. PDFs of maps, drawing the sector lines, old boundaries cut across several properties;

goal was to have sector boundaries not bisect properties—going to take a bit of work to fix this. Will have another draft and a database with map and lot numbers to go with the sector maps. Volunteers and technical leaders are all ready. Timeline is on track, has been a very organized process.

The survey targets erosion issues, but it is recommended with the survey that target sites be identified for buffer projects. If there is time, going to try and overlap those two tasks.

Water testing will include stream testing for this summer, headed by Dr. Karen Wilson. Jeff Dennis (DEP) has taken one sample of a stream adjacent to a large horse manure pile but no results have followed. Jeff will be back in town on April 18th and a follow up meeting is scheduled when he returns. John McClaine took a sample last week and submitted it to the lab and the results will come.

Department of Agriculture, Compliance Officer Matt Randall, is going to work with CCSWCD and perhaps the DEP in an effort to approach large land owners, the horse farm being one of them.

How do we manage the erosion sediment law (DEP), if you don't have access to the private property? Statute allows municipalities to expend public funds on private roads when there is an environmental concern. Possibly the Towns could use special assessments, though extremely difficult and very limited. Windham and Falmouth will look into the legalities into this issue.

Windham—48% of the town is private roads. There is a much different situation with more barriers in Windham than Falmouth.

MS4 (stormwater) permits (federally regulated through the Clean Water Act) puts more responsibility on municipalities to enforce regulation on private landowners.

A new working group/task force in Windham is looking into the issues of private roads. This is assessing roads more for safety than environmental standards. This may be a good place for the Highland Lake Leadership team to get involved.

CCSWCD is helping on the 604 B funds proposal being submitted for Highland Lake in two weeks. Heather is going to work on a budget next to go with the proposals. In addition to the BMP review, matching funds from the towns could include a septic system review by the towns, which could be delayed until the fall.

Heather will be sending the draft around again with the proposed budget which will include the proposed match funds from the town.

5. Overview of use of Phosphorus Mitigation Fees At CCSWCD

This item was tabled

Other:

There was a brief discussion on the failure of our existing processes to accomplish what we think that they are doing. Just an example – there is only one engineer to review all subdivision stormwater permits in southern Maine. That is over 100 per year. The reviewer cannot take the time to do a site visit, so he just spot checks the different parameters and if it looks good on those, it passes.