



**OPEN SPACE COMMITTEE
MINUTES OF SEPTEMBER 8, 2006
CONFERENCE ROOM A**

1. Welcome & Introductions of Members:

Jonathan Carter called the meeting to order at 9:00 a.m. Present were: Roger Cole, Page Mead, Earledean Wells, Matthew Brock, Jim Noël, Glenn Shwaery and Craig Wilson. Also present were Duncan McEachern, Esq., and Charlie Case (visitor). Absent were Rick Rossiter and members Paul Bonacci, Neil Jorgensen, Ken Lemont and Don Moore.

2. Review and Acceptance of the August 11, 2006 Meeting Minutes: The minutes of August 11th were accepted as presented.

3. Review and Discussion of Assignments from last Meeting: Discussion with Town Attorney on Town Open Space Holdings

Roger Cole led a discussion on listing of the open space properties that the Committee has been working on. Duncan McEachern went down the list of properties and discussed, in as much detail as possible, his knowledge of them and attempted to answer questions of the Committee. The first property discussed was Warren's parking lot on Rice Avenue and the right-of-way. Duncan said he would go back to his office and review the case histories, especially the case that determined the right-of-way.

Discussion and Review of Old Ferry Landing – centered around working to develop an agreement with the present property owner who is Cary Mabley, who uses a portion of the Old Ferry Landing right-of-way to access one of her two garages. The Committee felt that an agreement could be reached fairly easily on how Old Ferry Landing is to operate with Cary Mabley and should be worked on prior to any improvements being done.

Tilton Avenue – Duncan said he would look at the Land records of the Sewer Department's pump station to determine the lot size and if more work should be done to determine what the town owns.

Land behind the former "Danish Health Club"- the waterfront side is owned by the town, which is a sizeable parcel between the railroad tracks and the water. Discussion took place on the value of keeping that land, or selling it and further review should be done. At that point, the Committee asked Duncan McEachern for his opinion on the signage language which Paul Bonacci had provided. Paul also provided a graphic diagram with the lettering for such purposes for the Committee to use to mark the land.

Duncan McEachern said that the Committee consider carefully how they mark the properties and suggested the language "Property of the Town of Kittery."

Open Space Committee Meeting of September 8, 2006

Continued...

4. Discussion and assignments for Status Report to Council, Development of an Outline for Open Space Plan and Subcommittee to develop draft Open Space Priority System for Committee review and action was tabled.

5. Other Issues & Next Meeting: As time was running out, there will be a discussion at the next meeting on the Open Space Account and development of an open space plan. Also at the next meeting, discussion on the status of Craig Wilson's project (one page report) and map) on his project.

Earldean said she will be attending the next Planning Board meeting on the 15th to discuss an increase of fees she would like to see adopted for the Wetland Mitigation account.

The next meeting is scheduled for October 13th at 9:00 a.m.

The meeting adjourned at 10:30 a.m.

/bb

Town of Kittery's Open Space Land Holdings

NAME OF TOWN OWNED PROPERTY	COMMENTS
Warren's Parking Lot (2 sites)	Discuss w/Duncan – Pleasant and Commercial Streets
Rice Avenue	Current and history of vegetative cutting and encroachment, consider multiple seasonal usage: community waterfront park and continue snow dumping, consider community discussion with neighborhood about vision for the area. Research two accesses, Rick recalls a verbal agreement with immediate abutters regarding access, also, says Duncan may have knowledge re: this agreement.(Tax map represents another access than the one currently used?) Also, need further discussion on Rice Ave water access to the Piscataqua River. May require survey to address encroachment issues.
Behind Danish Health	Unclear boundaries, appears to be encroachment with dock built on

Spa	this property. Some KOSAC members expressed interest in visiting the property. Suggestion to discuss with the developer of the Health Spa (HL Patten) to see if this parcel is of interest the developer.
Gray Lodge Dr.	Establish town ownership with signage. Leave as is for now.
Martin Rd.	Gravel Pit – Access from Martin Road needs to be determined, survey required, hazardous waste assessment may be required, 80-acres owned by the Kittery Land Trust abuts this property, inquire if KLT might be interested in taking over ownership.
Ranger Road	Industrial Zone, extensive wetlands...leave as is for now.
Seapoint Road	3 lots – One lot (64/25) deeded restrictions, consider selling all lots to USFWS
Frisbee Wharf and Town Wharf in the Foreside	Consider surveys of these two working waterfronts. Determine if all boundaries are identified and not encroached upon.
Norton Road	Map 67, Lot 13A...that is the 5-acre, backland lot off of Norton Road...I am quite sure KLT would be very interested in acquiring.
Norton Rd/Haley	Leave as is, town signage
Rosellen Drive	Leave as is, town signage
Mitchell School Lane	Sell access ROW's to abutters, eliminate access onto Rt 103
Coleman Rd	Sell, purchase interest expressed by Kittery Art Assoc.
Bond Rd/Folcutt	Signage
Ferry Lane/(Old) Ferry Lane	Survey....appears to be a sizable boat cradle on a portion of this property and scattered private floats along the shore
By Crosby's house (Rte 103)	Consider parking and access improvements.
Tilton Ave	Survey needed to determine location of a dock near or on the property. Discuss with sewer dept their station and future use of this property. Consider sale.
Ram Island	Signage, recommend low use of the island and request the Parks Commission be responsible for monitoring. Ask Spruce Creek Association to assist with monitoring.
Rogers Park area	Need to be identified on the ground. Two small lots...consider selling.

Memorandum

To: Kittery Town Council

From: Jonathan Carter, Town Manager

Re: Open Space Advisory Committee

ADOPTED BY COUNCIL ON 5/23/05

Charge:

The Kittery Open Space Advisory Committee (KOSAC) is formed for the following purposes and in cooperation with existing Boards and Committees in the community and other interested parties:

Develop an Open Space Plan for Town Council review and acceptance. Said plan is to include:

- a) Identification, mapping and inventory of all publicly owned lands (Town of Kittery, Kittery Land Trust, Federal holdings) in Kittery.
- b) Identification, mapping and inventory of held property under conservation or public access easements or in the State of Maine Current Use Program (Tree Growth, Open Space, and Farmland).
- c) A prioritized list of critical wildlife habitats, recreational opportunities, and landscapes important to Kittery's history and rural/suburban quality of life.
- d) A description of current activities on undeveloped municipal properties and recommendation(s) for future use of these Town-owned lands.
- e) Development of a maintenance and identification marking plan for existing Town undeveloped land.
- f) Develop an action plan /strategy to implement the components of the Open Space Plan including an open space acquisition strategy and funds necessary to carry out the plan.

Purpose:

In accordance with the Kittery's Comprehensive Plan, which establishes Town policies for open space planning, the Town Council has authorized the Town Manager to appoint an Open Space Advisory Committee. The committee will develop and implement an open space plan.

Duties:

The Advisory Committee shall:

- A. Prepare an Open Space Plan with implementation steps that address policies and goals of the Comprehensive Plan;
- B. Participate in regular Comprehensive Plan review process.

- C. Report progress of open space issues and other pertinent issues to the Town Council at least twice a year;
- D. Work with the Conservation Commission, Planning Board, Parks Commission, other Town Committees, land trusts and other natural resources agencies to identify and help protect Kittery's special places, such as:
 - Recreational Lands
 - Water Access Lands
 - Lands Supporting Ecological or Conservation Functions and Values
 - Rare, Threatened, or Endangered Natural Communities, Plants, or Wildlife Habitat
 - Areas of Scenic Interest and Prime Physical Features
 - Farmland
 - Inventory Kittery's undeveloped properties
- E. Identify open lands that abut neighboring communities and enlist with other regional, state and federal entities when considering lands for conservation.
- F. Make recommendations through the Town Manager to the town council regarding opportunities for open space preservation.

Membership.

The committee consists of ___ members, as listed below. Members shall serve as advisors to the Town Manager. 1) All appointments recommended to the advisory committee from other committees shall be for no longer than two consecutive years when the committee shall resubmit a recommendation of their appointment to the Town Manager for the next two years. 2) Appointments of members not serving on a Board or Committee shall also serve for an initial two-year term. The Town Manager will then determine their interest in continuing on the Advisory Board for another term.