

Ordinance Committee Meeting Dec 6, 2018

Attendance: Kimberly Darling, Dennis Brown, Amanda Lessard, Kim White, Gretchen Anderson, John McKinnon

Jeff Dennis and Tom Peterson absent

- **Approve last set of meeting**—minutes approved unanimously
- **Update on status of proposed ordinance changes in Windham and Falmouth**

One ordinance change has been presented to the Windham Town council with three more on Dec. 18. In Falmouth, five recommendations have been made to the Town Council and all have been sent to the CDC to draft into ordinance language. One of the recommendations is actually a policy recommendation rather than an ordinance change - photographing shoreline. Kimberly will work with Ethan to see when the CDC is going to be working on this issue and what the timeline is to report back to the Falmouth Town Council.

Both Windham and Falmouth have existing ordinance on nutrient management (manure) within the shoreline zone. Perhaps the shoreline zone should be expanded from the existing 250'. Raymond Maine has a 1,000' shoreline zone as a local example. Planning staff is going to work with the DEP and the Dept. of Agriculture to begin drafting language. The Committee discussed manure management in terms of storage as well as spreading for agricultural reasons. Kimberly, Ethan, Gretchen and Amanda will be working together on ordinance language for both towns.

- **Discussion on if and how the towns might be legally able to request reviews on 319 grant BMPs installed with EPA money to be sure that they are being maintained into the future**

In major developments that require 5 year State inspections of their BMPs—The State they may only receive 60% compliance, but often they do not go after the 40% that do not respond to the update request.

Windham—Site plans and subdivisions over 1 acre of disturbance—area near Highland Lake in the urbanized area within the MS4, needs to report out on an annual basis. Falmouth also requires scheduled inspections of BMP's installed since the ordinance was passed.

It would be advantageous to periodically check the significant 319 Grant BMP's installed in the 2003-2008 timeframe. It has been reported that somewhere around 176 BMPs were installed during that time, but many were razor strips and other minor road modifications. **Kim will reach out to Heather to see how we can best research the earlier effort records to determine how many of the BMP's were significant enough to warrant routine inspections.**

Gretchen is going to look into the Windham easement requirements for private roads to see if environmental standards could also be included in some way to encourage road associations to maintain BMP's within their association roads.

Brief discussion on pesticides and fertilizers. When Falmouth has completed it's recommendations on fertilizers and pesticides, it will share it's efforts with Windham.

There was a discussion on having most of the protections gained on Highland Lake to become town wide ordinance language for all of Windham. There are issues with this as explained by Amanda, and John MacKinnon suggested a tiered approach for consideration that would be most strict nearer the great ponds, and less strict further from the great ponds.

- **Next steps for Ordinance Committee and next meeting date**
Late January- early February.