

Next Meeting: Monday July 22, 2013 at 7:00 PM

**Rights of Way of the Town of Rockport
Minutes of the Meeting of June 24, 2013**
Rockport Town Hall, Room A

Approved

Meeting called to order 7:00 PM, Marc Prince presiding.

Members Present:

Tom Kerans, Bill Mueller, Marcia Siegel, Mary Devaney, Marc and Mary Prince

Members Absent: Sue Thurson, Jane Moginot

Associate Members: Ted Tarr, Phyllis Krenn

Guests: Zenas Seppala (92 Granite Street), Toby Arsenion (95 Granite Street), Bill and Janet James (31 Phillips Avenue), Ryan Drohan (19 Haven Avenue), Kay Bander (25 Phillips Avenue), Matt Cegelis (24 School Street), Charles Elwell (28 Pigeon Hill Street), Bob MacIsaac (2 Clark Avenue), Cathy Elwell (2 Clark Avenue)

Announcements:

A large number of guests were in attendance. Chair Marc Prince welcomed them, then revised the agenda so their concerns could be addressed at the beginning of the meeting.

Minutes 5/24/2013

Corrected and Approved.

Reeds Lane:

Speaking for Kay Bander, abutter to Reeds Lane, Bill James addressed recent work done there by the Rights of Way Committee. He asked why the clearing was done and why a pile of wood chips was left there. He expressed concern for nearby Los Angeles path stating that it was reported to him by his caretaker that it will be "clear cut" by the DPW.

Kay Bander spoke expressing her displeasure with the recent clearing of brush on Reeds Lane. She wrote a letter to the Selectmen. A copy will be put on file.

Bill Mueller has been active in planning and supervising improvements on the Reeds Lane Right of Way, so was asked to respond to these questions and complaints. To give perspective, Bill explained the mission of ROW. He reviewed the history of town Rights of Way paths and trails. Many have become narrow and overgrown. Some have been rerouted by accident or design. Identifying signs have disappeared. Neglect and lack of maintenance have resulted in loss of paths and trails. The job of the Rights of Way Committee is to identify and maintain paths so they are accessible to the public. Bill explained that as the committee attempts to improve or reclaim paths, abutters are sometimes unhappy because they have not realized the extent of the Right of Way.

Reeds Lane is a good example of what has occurred. It has not been maintained for years, is in disrepair, and has become overgrown. Actually Reeds Lane is not a footpath. We have researched the deeds and it is actually a 40 foot wide lane with a turn around. It is owned by the town. The situation has been discussed in detail by the ROW Committee for almost a year. Expert trail designers from the Cape Ann Trails Association visited the site with Rights of Way

Committee members. The condition of the trail was studied and various solutions were presented and discussed at subsequent Committee meetings.

While some clearing was done on Earth Day, it was not anywhere near the entire width of 40 feet. In addition to being overgrown, the lane has been damaged by run off and has become eroded and muddy. Passage has become difficult, if not dangerous. Bill outlined our general plan which is to widen the path; level it with a grader and wood chips; then, plant seed. He explained that with the Committee's limited resources and budget, progress is slow. However, the brush will be removed and the woodchips used.

As to a complaint that Matt Natti would not discuss work he was doing with Kay Bander, Bill explained that Matt was hired by the Committee to do some of the clearing and clean up. Bill advised Matt not to engage with abutters, but to suggest that they attend a ROW meeting to get answers to their questions.

Los Angeles, Sacramento, Oakland

These paths are all under review. Of particular concern is Los Angeles which has become overgrown and off course. This has been repeatedly discussed at ROW meetings. The paths need to be open and clearly marked as public Rights of Way from both the land and the ocean entrances. On 3/13/2013, Committee members Sue Thurson, Marcia Siegel and Mary Devaney went on a field trip with Nick Holland and Kate Walton, expert trail designers from Cape Ann Trails Association, to investigate the possibilities of improvement for these footpaths.

Bill James stated he has a survey made of Los Angeles and has had the boundaries staked. He has hired attorney Dan Baily to research the deeds and to outline the rights and responsibilities of private owners and the town. He is willing to share this information with the Committee and work with us. After the information is reviewed by the Committee, Bill James and Ryan Drohan have offered to conduct a field trip for Committee members. Marcia Siegel stated her concern that, in compliance with Open Meeting law, any field trip should be scheduled and posted in advance. The Committee did not act on this suggestion. Bill James offered to take anyone individually and show them the path.

Bill Mueller reiterated the limited resources of the Committee, which is staffed totally by volunteers, and stated that no plan is in place at the moment. He expressed appreciation to Bill James for his work and co-operation. To end the discussion, Chair Marc Prince thanked the guests for attending the meeting and working with us. Mary Prince also thanked them for coming to the meeting to express their opinions and concerns.

Atlantic Path

Bill James expressed his strong objection to the spray painting of rocks on the Atlantic Path. Apparently, there have been reports that the spraying was done by the Rights of Way Committee. Discussion clarified that an abutter is responsible for the defacing of the rocks. The situation and our attempts to remedy it were explained. Phyllis Krenn described delays regarding a letter we hoped would be sent to the abutter by the Town Administrator. It is no longer appropriate or required.

Bill Mueller described a granite colored paint, available at Smith Hardware, with which we could cover the "graffiti appearing" blue arrows and no trespassing signs which now mar the beauty and safety (the arrows reroute the path onto dangerous rocks) of the Atlantic Path.

Hooper Property

Ted Tarr reviewed the situation regarding the former Hooper property. The town owns the rocks in front of the property, but storms have rendered the rocks impassable. There is an overgrown Right of Way behind the property which could be cleared to make the path continuous from the Cathedral Rocks to Halibut Point.

Bill Mueller reported that a Halibut Point State Park official stated that he has had to discontinue guided trails in that area because the rocks are dangerous and the path overgrown. The walk was previously the most popular one he conducted, and he considers its discontinuance a great loss to the Park's recreation program.

Ted Tarr suggested that the Hooper heirs be contacted to request permission to clear the Right of Way. It was recommended that this should be done soon, before the property is sold or ownership becomes more complicated. An alternative route is on Gott Avenue. The matter was referred to next meeting for discussion of possible action.

Clearing of Atlantic Path

Phyllis Krenn contacted Alan Batistelli who usually clears the path. He does not have the manpower to do the job this year, but agreed to meet with Matt Natti to show him what to do. It was noted that we are running up against the fiscal deadline of June 30. Bill Mueller and Phyllis both agreed contact to Matt regarding billing.

Tool Company

In response to questions from guests, Marc Prince explained that we have written a letter to DEP expressing the importance of preserving the Right of Way from Breakwater to Edgemere. Eric Hutchins wrote a comprehensive letter outlining all town concerns to Alex Strycky of DEP. Sections which pertained to our interest were read and summarized by Marc Prince.

Hillside Road

Joe Parady reported to Bill Mueller that progress is being made in his attorney's negotiations with Mr. Hickey. We await the outcome. Marcia Siegel received a call from Fred Petersen from Hillside questioning what is being done about the blocked section of the road. She summarized for him what we had learned at the last meeting and invited him to attend our next meeting.

Management Report:

\$2230.04 left in account. It must be spent by June 30, 2013

Matt Natti needs to submit his bill.

New Operating Budget:

6/30/2013 to 6/30/2014 \$2304.00

Steel Derrick/Pigeon Hill Court:

Marcia Siegel reported that new "No Parking" signs on Pigeon Hill Court now restrict access to the path to Steel Derrick. Formerly, resident parking was allowed.

This is significant because the path provides access to the network of Dogtown trails and paths which converge at Steel Derrick. No parking is allowed on Johnson Road, the only other area which affords easy walking into the area.

Mary Devaney reported being given a handout by the Steel Derrick security guard which bans all dogs from the privately owned area. Formerly, hikers and their dogs were allowed to "walk through" on the trails and paths. Discussion followed.

Tom Kerans suggested that the first step should be to find out why the no parking signs were put up. Marcia Siegel will contact the police department for this information. Follow up research should determine ownership and Right of Way (if any) status of the path from Pigeon Hill Court. Then, status of the connecting roads and paths should be determined. This matter will be put on the agenda for discussion at our next meeting.

Projector:

The projector has proven to be an absolute necessity for Committee meetings. Bill Mueller expressed frustration at the inefficiency of having to find a different person to pick it up each week. Phyllis Krenn agreed to pick it up on Monday each month in the future and return it on Tuesdays.

Ann Shinewald

Tom Kerans reported that Ann will be honored for her work for the town 7/20/2013. Ann founded ROW, and it was agreed we should submit a letter of appreciation. Marcia Siegel knows the history and agreed to draft and submit a letter. Tom will send us details of the event so the Committee can be represented.

Captain's/ Overseers Reports:

Flat Rock

Phyllis Krenn reported that Flat Rock Point is in good condition and that it appears someone has adopted stewardship and is maintaining it.

New Business:

Archeologist/Glacial Erratics

Bill Mueller was contacted by Mary Ellen Lepionka, a retired archeologist, regarding glacial erratics pictured on the Andrews Woods website. Mary Ellen informed Bill that some granite boulders were placed there by Native Americans and are in fact spirit rocks. She also identified a grinding stone. She is writing a book on the subject.

The Committee was very interested in this information and expressed a desire to have Ms. Lepionka attend a meeting and make a presentation. At some point in the future, she will be speaking to the Gloucester Astronomical Committee regarding a "sunset rock" which has significance at the Summer Solstice.

Next Meeting:

Monday, July 22, 7:00 PM, Town Hall, Conf. Rm. A

Meeting was adjourned at 8:42 PM

Respectfully submitted,

Mary Devaney