



# Coastal Waters Committee Minutes

Meeting Minutes  
Wednesday, October 19, 2016  
6:00 PM – 8:00 PM  
Council Chambers

**Present:** Chairman Lew Incze, Vice Chairman David Witherill, Brent Sullivan, Mike Schwindt, Richard Thompson, Bob Vail, and David Carlson.

**Absent:** Hugh Judge

**Town Staff:** Bill Shane, Town Manager; Thomas Gruber, Councilman; Charles Rumsey, Chief of Police; Milton Calder, Lieutenant; and Jean Duchesneau, PD Administrative Assistant.

**Guest:** Barney Baker, PE; Baker Design Consultants

## **Call to Order**

Lew Incze called the meeting to order at 6:02 p.m. Lew proposed we keep to the time frame outlined within the agenda due to the number of items listed. His request was that we broadly go over all the items and then at a later date during a workshop dig deeper into the issues. Lew asked for approval to conduct the meeting in this manner. All were okay with the format of the meeting.

## **I. Approval of the September Minutes**

Approval of David Witherill's letter containing the recommendations for the "Wharfing Out Permit – Cunningham 8 Broad Cove Way" was submitted as the September Minutes. Lew asked how the September meeting went in his absence and David Witherill stated it went smoothly. There were no problems.

Approved.

## **II. Brief Note: Eelgrass Survey Results (L. Incze)**

A brief review/discussion of the handout "Broad Cove Pier Replacement 2016 Baseline Report, Eelgrass Monitoring – Broad Cove, Cumberland, Maine by Normandeau Associates Environmental Consultants" was conducted.

Comments/Discussion:

- The report indicates that at this time the health of the eelgrass bed in the Broad Cove area is good.

- In an effort to minimize damages, Maine DEP put a requirement on the Town of Cumberland to get involved in a monitoring effort to look at changes in the eelgrass in the access channel between the deep water portion of the cove and the pier.
- Maine DEP supplied us with a five year monitoring plan, which was accepted by the Town. Normandeau will continue to collect data in accordance with the plan.
- Survey Costs: \$28,000.00 for the 5 year monitoring program. Barney Baker was instrumental in saving the Town money with this program.

### **III. Pier at Broad Cove Reserve. Part I. Replacement Project**

- New cost estimates and engineering evaluation (B. Baker)  
Lew stated the report shows costs have increased substantially from \$350,000 to \$515,000 with Prock Marine. The increase is driven by the increased costs of operations. The increase can be reviewed in more depth at a later workshop. The report was reviewed and discussed and will need further review in the future.

There was discussion regarding the increase in three aspects of the project: labor and equipment for construction, mobilization and demobilization, and concrete related steps. Ultimately, Barney stated they clearly received a low estimate. They used a 2004 estimate of a similar project combined with our project needs. Prock Marine is not the business of giving fine-tuned bids and therefore gave us a high estimate. This was an estimate and not a bid from Prock.

Discussion followed about what other marines may be interested in bidding on the project. Bill Shane stated he had sent the project out for a second bid and hopefully that would be in soon. Bob Vail inquired about piecemealing the project out. Barney stated he felt having one general contractor for the entire job is better. Lew stated further discussions would be needed at a later workshop regarding the details of this project.

- Grant application to state; funding schedule (B. Baker and W. Shane)  
Small Harbor Improvement Program (SHIP) has a rolling grant available. The Town can apply for the grant at any time. This grant could match 50% up to \$250,000. Barney advised the Town to apply for a total match of 50% on the application up to the limit of \$250,000. Barney also stated the process would begin with a Letter of Intent to file an application, a meeting with DOT to discuss the application and the possibilities the State would want to finance it.

Bill Shane stated a Letter of Intent has been filed as a place holder indicating our interest in the grant, and to arrange for some people to look at the site. It would also allow time to meet with the council, depending upon what the commission wants to do with the application. He would like to bring the matter to the council in the November meeting with the recommendation to apply for the grant.

The timeline would be to apply for the grant in 2016 (as soon as possible), and a decision to be made sometime in 2017 with the funding available sometime in calendar year 2018.

Bill Shane stated that with the monies committed from Bateman, the reserve accounts and if the state grant comes through, we would have it. He would like to see a possible reduction in the costs of at least 25% to get us closer to where we started. The Town is waiting for the second contractor's bid. Bill stated he felt we should not delay and that the commission should move forward with the request for authorization to go forward with the grant.

- Action required: vote to prepare/submit application  
Lew asked for approval from the commission to go to the town council with the proposal that we apply for this grant to see how much money we can get from the state towards this project. All in agreement; let's take a vote.

Motion: We recommend to the council to apply for the grant through the state for a pier facility.

Moved by: David Witherill

Seconded by: Richard Thompson

Vote: Unanimous

Lew asked if all were in agreement to meet at a later date (meeting or workshop) to dig deeper into the various pier specifics, design considerations and costs. We should have the second bid by then and have a clearer picture of costs. Bateman could possibly increase their participation in the project and with a successful grant application, this project could come in closer to our original budget estimates.

There was general discussion over the timeframe regarding the bid proposals and availability of the SHIP grant monies. Barney stated the SHIP grant is a rolling grant and funds are usually available in January.

Timeline estimate: Send out advertised bid proposals in the fall 2017 with funding available sometime in 2018 and an opening date of June 2018 (earliest) or June of 2019 (latest).

All agreed to a follow up meeting to discuss the details and the pier project (usage, floats, moorings).

#### **IV. Pier at Broad Cove Reserve. Part II. Current Operations**

- 2016 usage report (W. Shane)
- 2016 operating costs (include access channel markers) (W. Shane)
- Proposed parking lot: size and potential issues (W. Shane)

It was a very active summer at the Reserve, between 5,000-6,000 users. The floats were a hotspot. We had a number of people come in by boat to check it out. The low mooring usage may be due to the late start this year.

Pier usage was light. High school/college-aged kids used it for sunbathing. Most of the use was beach based and not mooring or boat based.

Parking area by Route 88 has 38 spots and we will be restricting those to 2/3 residents and 1/3 out of town users. This may affect the numbers next year. The staff at the facility this year felt that over 50% of the users this summer were from out of town. There was a lot of walking traffic from the surrounding neighborhoods. No overflow parking will be allowed. When it is staffed, people will be allowed to drive down and drop things off and return to the lot. However, there will be a gate installed so that no one can enter once the facility is closed. Details regarding this are still being worked on. There were some security issues over the summer and the town and police are addressing them.

Bill stated he had heard all positive comments from the users. Having the golf cart to transport from the lot to the beach was a plus. Next year they will probably shuttle down to the beach on the hour and back to the lot on the half-hour. More specifics about a shuttle system to be put in place will be forthcoming.

David Carlson used the facility for kayaking, and stated the estimated times for pick up and drop off were not accurate. It took him approximately 10-15 minutes to unload and 20-25 minutes to load up.

- Recommendations for 2017 season  
Bill stated to share what you hear.

David Chase was the low bidder on the parking area. Hopefully the trees will start to be cut next month and he will be working on the area over the winter. It has to be done by April 1<sup>st</sup>.

Lew stated hopefully the floats will be in for the full season next year and we can get a better assessment of waterfront usage.

Bill asked if we should consider a kayak loading attachment for one of the floats. After some discussion, it was determined that it was easier to launch a kayak from the beach than the float due to the height difference. There was some discussion about a semi-submerged float for kayaks. It was decided to wait on the idea.

## **V. Broad Cove Mooring Field**

- Permits vs. installed moorings (L. Incze)
- Operating costs and income (W. Shane)
- Recommendations for 2017 (current permit holders; new applications; and number of temporary markers to install)

Twenty (20) mooring applications (completed and paid) for Broad Cove this year.

Twenty (20) temporary markers were put out (outside the eelgrass zone and access channel).

Only two (2) occupied moorings out of the 20 permits issued. We are unsure why this is; perhaps it is the distance to the mooring, parking, and/or the pier access distance. A discussion followed. It was recommended to send out a letter to the permit holders explaining our position and to determine what their intentions are for next year for the mooring.

Bill suggested to put the temporary markers out early and then send a letter out to permit holders saying if you don't get a permanent mooring in this summer, we will free up the spot for someone else in the following season.

Feedback is needed from the permit holders. Lew will draft a letter to the permit holders to gather information from them regarding the process, their mooring intent and usage of the mooring/pier.

It was suggested to set the same number of channel markers as this past season. It may be excessive, but it may help with the eelgrass monitoring program.

The new application process should wait until we get the feedback from the permit holders and then we can decide on how to proceed in a future meeting.

#### **VI. Discussions: Over-All Reflection on Items 2-4**

- Determine what the usage of the pier reflects, boating vs beach/land use.
- Contractor vs the farming out of parts of the pier project, wood vs aluminum and other cost saving ideas to keep within budget.

#### **VII. Survey of Cumberland Moorings**

- Results (L. Incze)  
Database needs to be cleaned up and updated with current information.  
Moorings – very few were in compliance. Most moorings were untraceable, no names, no numbers.
- Recommendations (immediate communication; 2017 action plan)  
Send a letter to all mooring holders advising what occurred when we went out to check the moorings and to insist on full compliance. The letter should come from both the Coastal Water Commission and the Harbormaster. Lew will draft the letter using Coastal Water Commission letterhead, listing all members and having Milton cosign as the Harbormaster.

Check with mooring companies to see who may have installed moorings within Cumberland to get an active list.

Insist upon full compliance of the ordinance with the permit holders.

Do a survey before sending the letter. Contact the people on the mooring list via telephone and do a mini survey to find out what's going on and here's what we are planning to do; as well as notify them they will be getting a letter in the next month or so outlining what is next in the program and hope they can participate and give us some feedback.

#### **VIII. Changes in Staffing of CWC**

Bill stated that the Town Council directed him and the ordinance committee to restructure how committees in this community work. The CWC committee is a standing committee so nothing will change on this committee except for one additional responsibility. The committee will be responsible for the area from the beach water side at Broad Cove Reserve and will be in charge of the pier, the kayaking area, the balls and all the mooring stuff.

Jean Duchesneau will be staffing the committee along with the Police Chief, Charles Rumsey, and Lieutenant, Milton Calder. This will align the permitting and enforcement sides again.

#### **VIII. New Business**

Discussions need to take place in the future regarding how to handle the trash problem at Broad Cove.

Set next meeting date: November 16, 2016 at 6 PM and then December 21, 2016 at 6 PM.

Set topic(s) for next meeting:

- Better understanding of usage and costs of the pier, pier vs floats alternatives, contractors vs farming out parts of the pier regarding the costs.
- Better understand the Prock estimate.
- Ask a structural engineer come to the next meeting.
- Review the second opinion on the pier project.
- Review the feedback from the permit holders.

#### **X. Adjournment**

Motion: To adjourn at 8:07 p.m.

Moved by: Bob Vail

Seconded by: Richard Thompson

Vote: Unanimous

Respectfully Submitted,  
Jean Duchesneau