



COASTAL WATERS COMMITTEE

MEETING MINUTES

Wednesday, November 16, 2016

6:00 PM – 8:00 PM

East Conference Room

Committee Members:

Lew Incze, Chairman
David Carlson
Hugh Judge
Brent Sullivan
Mike Schwindt
Richard Thompson
Bob Vail
David Witherill

Town Staff:

Tom Gruber
Charles Rumsey
Milton Calder
Jean Duchesneau

Present: Chairman Lew Incze, Mike Schwindt, Richard Thompson, Bob Vail, and David Witherill.

Absent: David Carlson, Hugh Judge and Brent Sullivan

Town Staff: Bill Shane, Town Manager; Tom Gruber, Councilman; Charles Rumsey, Chief of Police; Milton Calder, Lieutenant; and Jean Duchesneau, Committee Secretary.

Call to Order

Lew Incze called the meeting to order at 6:01 p.m.

1. Old Business Clarification:

Mike requested clarification on the non-resident moorings (Garland) (Basket Island/Land Trust). Discussion took place regarding how this was set up years ago with the Land Trust. The mooring system is in a mess and needs to be updated. Aqua culture programs are not mandated by our ordinance; they fall under DMR. We have no aqua culture moorings in Cumberland. Boat moorings are subject to Cumberland ordinances. Someone should contact Mr. Garland and advise him of the ordinance rules and regulations and if he is not going to have a boat on the mooring, the mooring should be pulled. If the Land Trust would like a mooring for the island rather than boats anchoring then we can decide that later.

The committee revisited the plans to send a letter and informational packet out to past mooring holders and landowners on the eastside of Foreside Road, from town line to town line. The letter should indicate the town is going to begin enforcing the ordinance and that we will expect full compliance, professionally installed moorings, inspections, and that moorings that are unlicensed (unregistered) will be removed by October 1, 2017. Bill will work with Chip, Milt and Jean to get this completed and out for review before the December meeting. Timeframe: The letter/informational packet would go out after the December meeting and in January go to the council with the ordinance change(s) and the changes will be effective prior to the boating season for next year.

Winter Spars: Our ordinance states mooring logs can come off June 1 and go on December 31. The committee felt we need to change the date to November 1st. This is an ordinance change that would need to go before the council. If there are other things in the ordinance that need upgrades, Bill thought we should shoot for January to do any additional updates to the ordinance.

The visitor data sheet given out at the prior meeting had some incorrect totals listed. These have been corrected and will be attached to the Minutes in an email.

2. Approval (with any amendments) of last minutes:

No one found anything in the October minutes that needed correction. Bob Vail moved to adopt the October minutes and seconded by Rick Thompson. All were in favor.

3. Parking lot to be open by spring:

The current gate is used for drop off and handicap access and it is the only one there at this time. The gate is opened/closed by those who use it. At this point in time, the proposed second gate will not be put in.

There will 32 parking spots. No road parking allowed (gravel road). There was discussion on whether we should restrict resident vs non-resident spots; as well as whether we should issue BCR stickers for cars as a monitoring feature.

We do not have to establish a waiting list (moorings), but if we do, then we have to accommodate nonresidents, 10%. Per the ordinance and state law, for every ten, we will have to reserve a spot for a nonresident. Bill stated he thought we should ponder over this a little bit and maybe in December we may want to make a recommendation to leave it as is for another year, expand or establish a waiting list. Understanding, that if we establish a waiting list, there will be 1 nonresident for every 10 spaces.

Clarification to our ordinance (48-5.B.3a): As of May 1, if you're not a permit holder, that space becomes available by default on May 2. Send out a postcard in April as a final reminder to get your permit before your spot is re-assigned to someone else.

The application will have an auto renewal check box; however, make sure all the information is correct and current.

4. Grant Application to state for support of pier:

We were advised that the funds available will be smaller than originally expected because there are not that many of them. The state won't have the funds until 2018/2019. A letter of intent has been submitted with the state. The council approved submitting the application Monday night. There are no eligible reimbursement funds.

5. Other estimates on pier construction costs:

Still pending, none have been received back.

6. New mooring application(s): Discuss policy for response:

Lew asked do we expand the list of moorings or do we start a waiting list? After discussion, Lew recommended that we expand, for the sake of accommodating these people; let them know what's going to happen to them if they don't actually take advantage of it. Also, put the current permit holders on the same notice, which we are going to work out next month, that if they do not put a mooring in, they will lose that spot. All felt this was reasonable.

Temporary balls: 15 public and 5 riparian. None of the 5 riparian moorings were put in the (normal) riparian area. In looking at the buoys, the left was riparian and right was the public. The 5 riparian can be set all to the Yarmouth side and notify the homeowner association if we reset these again, they will be responsible for an additional \$250.00 charge. Bill proposed we set 5 riparian out there.

Bill explained his frustration at setting temporary moorings (at a cost to the town), and only having two moorings go in this boating season. Discussion followed on mooring issues. Mike proposed we change the ordinance to say something such as: *Once you get your mooring application approved, you get one free setting of the temporary buoy. If you don't take advantage of that the first year, and the town has to pull the mooring, it will cost the applicant a \$250.00 additional fee.* Mike offered to draft the new language to the ordinance and will send it out to the committee for review. Bill asked that it be more specific to include a penalty.

7. Draft letter on mooring compliance issue:

This was discussed earlier in the meeting.

8. Discuss goals and timing of proposed Public Workshop in pier, moorings and over-all water access issues:

Lew stated we are not ready for public hearing. We do not have a completed package at this time. We have not yet decided on a pier, the type (pier vs floats), or whether the demand is there for it. We do not have the second bid

yet. We may have more discussions within this committee in February 2017.

Bill stated that right now we could count on \$200K from the state, \$150K from the homeowners association, and the rest would be coming from the town. We need to determine what is reasonable for the town to spend on the project.

9. News and comments from Harbormaster:

Milton Calder stated he had no additional news.

10. Other Business:

Bill advised there will be a pending application on a Wharfing Out Permit in the near future (per code enforcement). A site walk may be difficult if we wait too long past December 15th or if there is snow on the ground.

11. Adjourn:

Motion: To adjourn at 19:45 p.m.

Moved by: Mike Schwindt

Seconded by: Bob Vail

Vote: Unanimous

Respectfully submitted,

Jean Duchesneau
Committee Secretary