



# COASTAL WATERS COMMISSION

**MEETING MINUTES**  
**Wednesday, February 21, 2018**  
**6:00 PM – 8:00 PM**  
**East Conference Room**

**Committee Members:**

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

Town Staff:  
Tom Gruber  
Charles Rumsey  
Jean Duchesneau

**Present:** Chairman David Witherill, Mike Schwindt, Richard Thompson, and David Carlson  
**Absent:** Hugh Judge, Brent Sullivan, Bob Vail and Charles Rumsey  
**Town Staff:** Jean Duchesneau, Committee Secretary; Matthew Merriman, Harbormaster; and Thomas Gruber, Town Councilman  
**Guests:** Peter Stocks and David Perkins of Maine Scallop Company

**1. Call to Order**

The meeting was called to order by Chairman, David Witherill at 6:03 p.m.

**2. Adopt the December 13, 2017 minutes**

Chairman Witherill inquired if there were any changes or additions to the December 13, 2017 Minutes. There were none.

**Motion:** To approve the Minutes of December 13, 2017  
**Moved by:** Rick Thompson  
**Seconded by:** David Carlson  
**Vote:** All Approved – Unanimous

**3. Harbormaster Report**

Matthew Merriman was in attendance; however there was nothing new to report to the commission.

**4. Peter Stocks of Maine Scallop Company – Aquaculture Permit Presentation**

Peter Stocks and his associate, David Perkins of Maine Scallop Company gave a presentation regarding his aquaculture permit for a scallop farm between Basket and Sturdivant Islands.

**5. Mooring Allocations**

David Witherill stated that the Town will be sending out a letter to all mooring holders advising them that there will be no access to the pier in 2017 due to the serious structural damages received from the fall wind storm and early January winter storm. The pier has been deemed unsafe.

The mooring allocations will be put on hold for the 2017 year due to the pier damages. No fees will be charged to mooring holders this year. There will be no channel markers put in this year. The BCR moorings really will not be accessible unless perhaps via kayak this boating season.

The Town requested and the State agreed to move us up on the state funding list from 2020 to 2018. The reconstruction of the pier will mostly likely be completed by 2019 boating season.

In speaking with the Ocean Access Committee, David Witherill advised that there will be five new (permit) parking spots added and will be available on a first come first serve basis. Also, a temporary kayak rack (kayak trailer) on land is being proposed.

## 6. Ordinance Updates

Mike Schwindt went over the three ordinances with the commission.

Mike stated 48-2 is ready to go except for the changes below.

- Change 1: is the “strike through” section.
- Change 2: is the area in the black brackets. Mike stated he is waiting to hear back from the Chief as to which term we should use, “a certificate holder or” or use the term “an additional insured”.

### § 48-2. Definitions.

**Change 1:** As used in this chapter, the following terms ~~shall have the~~ meanings indicated:

**Change 2:** **APPROVED MOORING SERVICE – A mooring service, including sole proprietorships and other persons, which has provided an in-force certificate of insurance to the Harbormaster verifying that the mooring service has a minimum of \$1,000,000 of commercial general liability and lists the Town as [a certificate holder or an additional insured.]**

**Motion:** To approve the 48-2 version subject to those two changes, one being using the word mean and the other being whichever the Chief and I and the town attorney can agree on makes sense between additional insured and certificate holder.

**Moved by:** Mike Schwindt

**Seconded by:** Richard Thompson

**Vote:** All Approved - Unanimous

Mike stated the revision to 48-5 is a cleanup of the language. One of the bigger changes is getting reference tied into there about records management maintenance, keeping information about inspections for a longer period of time. Also a reference to 84-12E regarding the proceeds after you have removed a mooring.

**Motion:** To approve Ordinance 48-5 as is.

**Made by:** Mike Schwindt

**Seconded by:** Richard Thompson

**Vote:** All Approved – Unanimous

Mike stated the revision to 84-12 is the addition of E Mooring Removal Minimum fee: \$250.00 plus any added costs incurred by the Town for removing, storing and disposing of the mooring.

**Motion:** To approve 84-12 as amended with the addition of item E.

**Made by:** Mike Schwindt

**Seconded by:** David Carlson

**Vote:** All Approved – Unanimous

## 7. 2018 Nominations for Chair and Vice Chair

Mike Schwindt nominated David Witherill for Chair and David accepted. David Witherill nominated Mike Schwindt to Vice Chair and Mike accepted.

## 8. New Business

No new business at this time.

The next meeting date is tentatively set for March 21, 2018 at 6:00 p.m., in hopes that Barney Baker will be able to attend and give the commission a pier update.

**9. Adjournment**

**Motion:** To adjourn at 7:20 p.m.  
**Made by:** David Witherill  
**Seconded by:** Richard Thompson  
**Vote:** All Approved – Unanimous

Submitted by,  
Jean Duchesneau, Recording Secretary