



# COASTAL WATERS COMMISSION

**MEETING MINUTES**  
**Wednesday, June 23, 2021**  
**6:00 PM**  
**Police Department Training Room**

Committee Members:  
David Witherill, Chairman  
Mike Schwindt, Vice Chairman  
David Carlson  
Hugh Judge  
Richard Thompson  
Ivy Frignoca  
Robert Johnson  
Peter Garsoe  
  
Town Staff:  
Tom Gruber  
George Turner  
Robert Vail  
Charles Rumsey  
Jean Duchesneau

**Present:** Chairman David Witherill, Mike Schwindt, David Carlson, Robert Johnson, and Ivy Frignoca  
**Absent:** Hugh Judge, Richard Thompson and Peter Garsoe  
**Town Staff:** Thomas Gruber, Council Liaison, Matthew Merriman, Harbormaster, Charles Rumsey, Chief of Police, and Jean Duchesneau, Recording Secretary  
**Guests:** Sam Molloy and Jacob Gerry (LPA applicants) and Peter Del Bianco of the Shellfish Commission

## **I. Call to Order**

The meeting was called to order by Chairman, David Witherill at 6:08 p.m. with a round table introduction.

## **II. Adopt the October 14, 2020 and November 16, 2020 Minutes**

Chairman Witherill asked if there were any questions or concerns regarding the October and November minutes. It was noted that in the **October 14, 2020, Minutes, Item II, Seconded By:** "Richard Thomas" is the wrong name. The correct name should be Richard Thompson.

**Motion:** To accept both sets of the Minutes to include the name correction in October's Minutes.  
**Moved by:** Michael Schwindt  
**Seconded by:** Robert Johnson  
**Vote:** Unanimous

## **III. Public Discussion on Limited Purpose Aquaculture:**

The public hearing on the Limited Purpose Aquaculture permits (noted below) was opened at 6:15 p.m.

SMOL121 – SAM MOLLOY – Casco Bay, West of the South end of Sturdivant Island  
SMOL221 – SAM MOLLOY – Casco Bay, In Broad Cove  
SMOL321 – SAM MOLLOY – Casco Bay, located on Southeast end of Sturdivant Island  
SMOL421 – SAM MOLLOY – Casco Bay, In Broad Cove

Sam Molloy and Jacob Gerry was in attendance and gave an overview of the four proposed Limited Purpose Aquaculture (LPA) applications. Their interest is to grow oysters using a top culture oyster growing method in floating cages and mesh bags. During the winter months, the cages/bags would be dropped to sit on the bottom from November to March. The location of the LPAs are in the Broad Cove and Sturdivant Island area. The aquacultures will be marked using buoys with no plans to use lights.

The public discussion portion of the hearing was opened for comments. No public was present for comments.

The Commission's concerns were as follows:

- The actual location of the Broad Cove LPAs are in the Town of Cumberland mooring field (Army Core anchorage field). These would need to be moved. The commission requested a chart with the exact coordinates of the LPAs.
- The proximity to our channel and the concerns for boats entering and leaving the mooring field.

- The West side of Sturdivant site is within 1000 feet to landowners; therefore, the applicants will need to obtain permission from the landowners.
- Eel grass and recreational area preservation.
- Possibly restrict the LPAs to oysters only, rather than the proposed four species of shellfish if their interests are for oysters.

The applicants took note of the commission's concerns and will address them as soon as possible. The public hearing portion of this meeting concluded at 6:44 PM.

**IV. Discuss the Greater Portland Council of Governments proposal to assist municipalities with coastal resiliency planning.**

Ivy Frignoca spoke about the Greater Portland Council of Governments (GPCPG) proposal to assist municipalities with coastal resiliency planning. Below are some key points they can assist with.

- How and/or should towns set up a resiliency plan for the coast shoreline.
- How would this work with privately owned land and publicly owned lands?
- GPCOG has many resources available to towns, along with trainings and workshops.
- They can assist with strategies for regionalizing towns resiliency plans, if needed.
- They are federal funded.

**V. Ordinance language - Chapter 48-7 (10) V. 84-12 I. Conflict: One is classified as a fee; the other as a fine.**  
After a brief discussion, it was decided to change the wording in 84-12.1 from fee to fine.

**VI. Parking at BCR**

Mike Schwindt noted the parking at the BCR parking lot to be beyond the five allotted spaces. Chief Rumsey stated he would have the lot checked more often.

**VII. New Business**

Chief Rumsey stated the harbormasters would be getting out on the water soon to check moorings.

**VIII. Adjournment**

Chairman Witherill made a motion to adjourn the meeting at 7:15 PM

**Motion:** To adjourn the meeting.  
**Moved by:** Robert Johnson  
**Seconded by:** Ivy Frignoca  
**Vote:** Unanimous

Submitted by,  
 Jean Duchesneau, Recording Secretary