



COASTAL WATERS COMMISSION

MEETING MINUTES Wednesday, October 27, 2021 6:00 PM Council Chambers

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
Mark Segrist
Robert Vail
Charles Rumsey
Jean Duchesneau

Present: Chairman David Witherill, Mike Schwindt, David Carlson, Robert Johnson, Hugh Judge, and Richard Thompson and Peter Garsoe
Absent: Ivy Frignoca
Town Staff: Thomas Gruber, William Shane, Benjamin Burnes, Harbormaster; Charles Rumsey, Police Chief; and Jean Duchesneau
Guests: Barney Baker, Baker Design Consultants

I. Call to Order

The meeting was called to order by Chairman David Witherill at 6:00 p.m.

II. Adopt the August Minutes

Chairman Witherill asked if there were any corrections or changes that needed to be made to the August 31, 2021 Minutes. There being none, he moved to have the Minutes approved.

Motion: Accept the August 31, 2021 Minutes as written.
Moved by: Robert Johnson
Seconded by: Richard Thompson
Vote: Unanimous

III. Broad Cove Reserve Float Expansion Project – Barney Baker

- Eel Grass Survey –
The Town is at the end of a 4-year cycle of eel grass studies and has completed that portion of the permit requirement. The study basically states that the results are showing there is no degradation in the channel between the pier facility and the mooring field that can definitely be attributed to boat traffic.

Barney stated they applied for a permit for the new facility and are waiting for indications of what the Army Core and DEP say the overall eel grass impacts are. We don't know what the impact fee will be at this time. He is confident that we are in a position to get it approved for implementation next year.

- DEP Permit -
Barney reviewed the proposed site plan map with the commission. He stated the costs of the new (blue) floats would be split between the Town and the HOA - the Town paying for floats 6 & 7, and the HOA paying for floats 8, 9a, 9b, & 10. The HOA is responsible of all costs associated with their floats. The temporary floats (red) would be paid for by the Town.

The public and private ownership of this facility makes this situation interesting. He stated if we were to apply for a SHP grant or one of the Department of Agriculture and Conservation & Forestry grants, they would only pay for the public portion of the facility. They do not cover the private portion. SHP grants are a rolling grant, and they can be applied for at any time.

Regarding the floats, the grants that the public portion would be eligible for are a SHP grant or a Boating Facility Grant (Department of Agriculture and Conservation & Forestry), which come out sometime in March or April. The SHP grant typically funds 50/50 and the Boating Facility grant may fund at a higher amount.

The new kayak float will be redesigned and made a part of the new floats being built.

There was discussion regarding the floats and storm safety. It was suggested that the new portion of the floats will need to have modify hinges and if the mooring tackle is engineered correctly, it should not move. We may want to use a two-part system for installation and removal.

If the grant is approved, Custom Floats would build them in the winter of 2023 and install them in the spring of 2023.

A rough estimated cost for the entire float system is \$120K - \$150K with the costs being approximately \$60K - \$70K each for both public and private portion.

Motion:	To authorize the Town Manager to work with Baker Design Consultants to apply for SHP and Agriculture Conservation & Forestry grants as they become available for the float project that has been presented.
Moved by:	Richard Thompson
Seconded by:	Robert Johnson
Vote:	Unanimous

IV. Broad Cove Reserve 2022 Mooring Allocations

Harbormaster Report -

- Harbormaster Ben Burnes stated, for the most part, the season went smoothly. There was some non-compliance early in the season, but it was quickly remedied.
- There are 37 people on the waitlist.
- There are four LPAs that are pending an application process for the Broad Cove area. These LPAs, as with all applications, will go through the normal steps for processing them to include public hearings.
- Expansion Mooring Anchorage – Ben stated adding 15 more moorings would be beneficial. Currently this year, we have 35 moorings with 4 turnovers and 2 declined. There are concerns regarding dinghy dockage issues; however, a couple options to relieve the situation would be either the sharing of dinghies or having town-owned dinghies for usage.

Barney Baker suggested the Town may want to apply to the State to designate the Wildwood mooring field as a designated anchorage. By doing so, the Town would keep all regulatory aspects and we could designate an area for aquaculture facilities and stagger those facilities to possibly create a natural wave attenuation that could benefit the mooring field.

2022 Mooring Allocations –

A discussion took place regarding the possibility of increasing the number of moorings by adding an additional 15 moorings, as suggested by the harbormaster. Harbormaster Burnes suggested three items to help alleviate the dinghy congestion:

- 1) The increase would work out fine with no other action
- 2) Implement town-owned dinghies
- 3) Charge a dinghy dockage fee

After discussion, it was decided to table this item and re-visit it after the commission has had some time to research dinghy dockage fees.

Motion:	To table the 2022 Mooring Allocations until we can do more research
Moved by:	Mike Schwindt

Seconded by: David Carlson

Vote: Unanimous

V. Aquaculture Discussion

Richard Thompson suggested the Town reach out to DMR and to our legislators about setting up a public meeting about aquacultures. The commission would like to have more input regarding LPAs. Bill Shane stated we would need to have legislation written to potentially amend existing laws (which may be the 10-step criteria) that would allow more landowner and community input. Bill Shane, Charles Rumsey and Ben Burnes will work together to increase the criteria to include local input from landowners and the community and to reach out Ivy Frignoca and to Steve Moriarty regarding a public meeting.

VI. New Business

Remote Meetings –

Bill Shane stated there is a remote meeting policy and it will need to be adopted at a meeting soon. The policy basically states, if you choose to meet remotely anytime in the near future because of an emergency, i.e., pandemic, members out sick, and you still want to hold the meeting and some may ZOOM in and some may not, you have to have a vote by the commission to do so. Bill will forward the language to the commission. The State legislature said each committee/commission will have to do it individually; it cannot be a blanket policy for the Town. The Chairman will confer with the Town Manager to make sure all the criteria have been met for a ZOOM meeting. The State law is written so that it wants you to meet in person whenever physically possible. This is an item which needs to be voted upon.

VII. Adjournment

Motion: To adjourn the meeting at 7:32 p.m.

Moved by: Mike Schwindt

Seconded by: Robert Johnson

Vote: Unanimous

Submitted by,
Jean Duchesneau, Recording Secretary