



COASTAL WATERS COMMISSION

MEETING MINUTES

Wednesday, September 18, 2019

6:00 PM

Council Chambers

Committee Members:
David Witherill, Chairman
Mike Schwindt, Vice Chairman
David Carlson
Hugh Judge
Richard Thompson
Ivy Frignoca
Robert Johnson

Town Staff:
Tom Gruber
George Turner
Charles Rumsey
Jean Duchesneau

Present: Chairman David Witherill, Mike Schwindt, Richard Thompson, David Carlson, Ivy Frignoca and Robert Johnson
Absent: Hugh Judge, Thomas Gruber, and George Turner
Town Staff: Charles Rumsey, Chief of Police; Jean Duchesneau, Committee Secretary
Guests: None

I. Call to Order

The meeting was called to order by Chairman, David Witherill at 6:01 p.m.

II. Adopt the June 26, 2019 Minutes

Chairman Witherill inquired if there were any changes or additions to the Minutes. Mike Schwindt requested the record be amended as follows: Item 3, paragraph 2 change reconsideration motion to reconsideration request.

Motion: To approve the Minutes of June 26, 2019 as amended.
Moved by: Robert Johnson
Seconded by: Richard Thompson
Vote: All Approved – Unanimous

III. Harbormaster Report

Chief Rumsey stated that on June 6th the Harbormasters performed mooring inspections and tagged 20 moorings that had not been properly registered for the summer, a considerable drop from last year. They recently went out and located about half dozen more unregistered moorings. They contacted the mooring holders directly to correct the issues. Our Broad Cove mooring field and riparian moorings are in good shape.

The On-Line Mooring system data indicates the following moorings issued:

- 1 Duplicate (which has been corrected)
- 32 issued, 11 not located a mooring in the mooring field
- 2 were categorized as Broad Cove mooring, but were actually riparian moorings, correction made.
- 3 available

There are 22 actual moorings in Broad Cove mooring field. There are approximately 12 dinghies being tied to the floats.

IV. 2020 Mooring Allocations

Discussions took place as to how many moorings we should allocate for the 2020 season. We are at 35 for the 2019 season. Chief Rumsey indicated that the town may want to increase the allocations to 40 for the 2020 season. The reason being the waiting list and how it could affect the resident vs non-resident moorings. Chairman Witherill had concerns regard the number of dinghies the pier could safely hold.

After a lengthy discussion, it was decided to table the item until the following questions can be answered.

- Obtain legal clarity from the Town legal staff regarding whether a waiting list is required by State law.
- Monitor the dinghies situation at the pier.
- Visit the pier September 25th 6:00 pm to view the area and floats to see if there are any issues.

A decision on mooring allocations will be made prior to the spring.

Chief Rumsey will inquire if there are any other logistical concerns with the timeline for the mooring allocation that would factor in to the council, online mooring system or the harbormasters.

V. Kayaks and Dinghies Ordinance Language

Mike Schwindt went line by line through the Ordinance changes. The changes include but are not limited to the following:

- Definition addition/change for: Canoe, Dinghy, Paddleboard, Personal Watercraft, Registered Dinghy, Watercraft.
- 48-5 Multiple changes
- 48-6 Multiple changes
- 48-7 Multiple changes
- 48-7-6 Change November 1 to October 1
- 48-8-A-4 Addition
- 48-8-A-4 Change September 31 to September 30
- 84-12 Renumbering
- 84-12-C Addition of Daily rental for transient mooring: \$20.00
- 84-12-H Fee per craft

A copy of the ordinance 48 and 84-12 changes to be attached.

Chief Rumsey brought forth additional items to be considered:

- Question: Should the CWC consider regulating anchorage periods in Broad Cove Reserve and coastal waters?
Chairman Witherill stated we would need to do some research regarding what the state allows.
- Request: Add a paragraph to the end 48-10 that would allow the violator to come to the PD to pay a waiver fee within a certain number of day to avoid having the paperwork forwarded on to the courts for prosecution. Chief Rumsey offered to write the verbiage and email it to the commission for review. He would like it formalized in the ordinance. The commission was in agreement.

Motion: To approve the ordinance as amended (at this meeting) with any adjustments needed to get it to the ordinance committee in an expeditious time frame.
Made by: Mike Schwindt
Seconded by: Robert Johnson
Vote: All Approved – Unanimous

VI. Spears Hill Housing Association and Pier Dock Plan

The Association would like their own float with a kayak rack and dinghy tie-up for them. The float would be on the Southside. There are eight (8) homes in the Spears Hill Housing Association. They are riparian owners and have rights to the area. They are contributing to the costs to maintain and store the float/pier. The town encourages the sharing of floats. The Chief stated the town had requested Baker & Associates to draw a proposed plan, to the extent that if it could be expanded under the current DEP permit, to include the Spears Hill Housing Association float and one more float for the town. Baker & Associates stated the pier would be strong enough to hold the proposed floats and not affect the eel grass area.

During a storm the pier disassembled quickly—the ramps can be lifted and the floats can be moved or left to ride out a storm. In fact, on October 15, 2019, the pier ramp will be lifted and the floats moved to Chebeague Island for

the season.

VII. Swimming from and around the pier/floats

A discussion took place regarding whether to allow swimming from and around the pier/floats. The location of the safety ladder and the kayak ramp may entice people to swim and jump in from the floats. It was suggested more signage may help with the situation. There is currently a DANGER – NO JUMPING OR DIVING – SHALLOW WATER sign located on an upright at the end of the pier before going onto the float. It was agreed not to prohibit swimming at this time. Chief Rumsey will inquire if there is any Town liability to allow swimming in this area.

VIII. New Business

No date set for the next formal meeting at this time.

IX. Adjournment

The meeting was adjourned by David Witherill at 7:30 p.m.

Submitted by,
Jean Duchesneau, Recording Secretary