



# COASTAL WATERS COMMISSION

## MEETING MINUTES

Monday, November 16, 2020

6:00 PM

Cumberland Fire Dept. 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, Hugh Judge, and Richard Thompson, Ivy Frignoca and Peter Garsoe

**Absent:**

**Town Staff:** George Turner and Robert Vail, Town Councilmen, Benjamin Burnes, Harbormaster

**Guests:**

### I. Call to Order

The meeting was called to order by Chairman, David Witherill at 6:00 p.m. with a round table introduction.

### II. Adopt the October 14, 2020 Minutes

The minutes were not available at the meeting. Chairman Witherill advised they would be approved at the next meeting.

### III. Aquaculture Leases and Sites in Cumberland Waters

The commission met to discuss a new aquaculture application for 50+ acres in the vicinity of Lower Basket Ledge to grow kelp. David Witherill stated that he had attended the scoping session (Zoom) regarding the application and that the vast majority of it is in Chebeague waters with just a tiny corner of it possibly being in Cumberland. By the end of the scoping meeting, David Witherill stated that if Colleen Frankie made changes that Chebeague commenters suggested then the project may not be in Cumberland waters at all. David Witherill stated that from the low tide mark outward, the waters belong to the State and the State has deemed DMR to be the determining agency. If all the criteria of the aquaculture lease has been met and DMR approves it, the only recourse a town would have would be to appeal it to Superior Court.

A discussion took place regarding the State's methods of processing aquaculture lease applications, the criteria and the State regulations. Also discussed was ideas/options available to the town in order to have more input on the process. Everyone was in agreement to have a meeting (Zoom) with Cathy Breen and Steve Moriarty to further discuss this situation.

### IV. Adjournment

Meeting adjourned.

Submitted by,  
Jean Duchesneau, Recording Secretary