



COASTAL WATERS COMMISSION

MEETING MINUTES
Tuesday, August 31, 2021
5:30 PM

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

Town Staff:
Tom Gruber
Mark Segrist
Robert Vail
Charles Rumsey
Jean Duchesneau

Present: Chairman David Witherill, David Carlson, Robert Johnson, Hugh Judge, and Richard Thompson and Ivy Frignoca
Absent: Mike Schwindt
Town Staff: Matthew Merriman, Harbormaster; Charles Rumsey, Chief of Police; Jean Duchesneau
Guests: Carolyn Blackburn, LPA Applicant

- I. **Site Walk at 301 Foreside Road - Tarbox wharfing out permit** – All committee members were in attendance except for David Carlson and Mike Schwindt. A site walk was conducted.
 - a. The site walk was conducted at 5:30 p.m.
 - b. CWC members, Harbormaster Merriman and Chief Rumsey were present, along with the homeowner, and representatives from Atlantic Environmental and Custom Float.
 - c. Reps from Atlantic and Custom explained the design of the proposed project, including the repair/replacement of an existing set of stairs in the bank, and the installation of a pier, ramp and floats.
 - d. Reps answered all questions posed to them by members of CWC and town staff.
 - e. When DMR and Army Corps of Engineers permits are granted, Atlantic will submit a wharfing out permit application to the town. When that is received, notice will be posted in the Forecaster, in Town Hall and letters will be sent to landowners within 1,500 feet of the proposed project (per ordinance §226-25) and a public hearing on the application will be scheduled.
- II. **Public Hearing – Blackburn LPA Lease - Postponed until later in the meeting**

The committee convened at the Town Hall council chambers for the public hearing portion of the meeting. There was a brief informal discussion regarding the Blackburn LPA permit, criteria and site while waiting for Carolyn Blackburn to arrive to begin the public hearing.
- III. **Call to Order**

The meeting was called to order by Chairman, David Witherill at 6:10 p.m. While waiting for Carolyn Blackburn to arrive to begin the public hearing, Chairman Witherill began the CWC meeting and paused it once she arrived.
- IV. **Adopt the June 23, 2021 Minutes**

Chairman Witherill asked if there were any questions or concerns regarding the June 23rd Minutes. There being none, he moved to have the Minutes approved.

Motion: To approve the June 23, 2021 Minutes
Moved by: Robert Johnson
Seconded by: David Carlson
Vote: Unanimous
- V. **Old Business**

Members of the committee inquired how the Malloy LPA Permits were coming along and if all the points of concerns were addressed yet. Chief Rumsey stated he would follow up with Mr. Malloy and advise the committee. A general discussion took place regarding LPAs in general (LPA types, locations, number of LPAs) in Cumberland

waters and the Casco Bay area.

VI. Public Hearing – Blackburn LPA Lease

Chairman Witherill paused the CWC meeting and opened the public hearing portion of the meeting at 6:30 p.m. In attendance was Chairman David Witherill, David Carlson, Robert Johnson, Hugh Judge, Richard Thompson, Ivy Frignoca, Matthew Merriman, Harbormaster; Charles Rumsey, Chief of Police; Jean Duchesneau, and Carolyn Blackburn. One person from the general public attended.

Carolyn Blackburn answered questions from the committee regarding her LPA permit. She stated this was the fourth LPA in the same area. The other three LPAs were marked on an LPA map. This LPA will not interrupt waterway travel. The depth of water at low tide is 9 feet and at high tide it is roughly 18 feet. The LPA is in the middle of the other three sites. She estimated the eel grass to be approximately 56 feet away. There are six buoys and two have small buoys for a total of eight buoys. The LPAs are 132 feet apart. The cages are close to surface.

Public hearing portion of the meeting was closed at 6:38 p.m.

VII. New Business

The CWC meeting was re-opened at 6:40 p.m.

Ivy Frignoca sits on the Climate Action Sub Committee of the Land Conservation Committee and stated Phase II of the climate action plan is beginning. This phase of the plan will include some marine components to it. Chairman Witherill asked Ivy to keep CWC apprised of the committee's plans.

Harbormaster Report – Matthew Merriman

The mooring checks have gone well. Approximately nine warnings were issued last month – some these were minor violations. The Harbormasters will be going back out on September 13th, to check on how many of those moorings are in compliance. Thirty days afterwards they will go back out and pull those that are still in violation.

Broad Cove Reserve – Pier Report

- One kayak issue to report and the issue has been resolved.
- Two kayaks without stickers; owners contacted and the sticker issue has been resolved.
- Four dinghies with no information on them. Owners were contacted and notified to post information.

VIII. Adjournment

Motion: Adjourn the meeting at 6:55 p.m.

Moved by: Ivy Frignoca

Seconded by: Richard Thompson

Vote: Unanimous

Submitted by,
Jean Duchesneau, Recording Secretary