

March 7, 2019

The regular monthly meeting of the Oxford Board of Port Wardens was called to order by the chairman, Thomas Campbell, on Thursday, March 7, 2019, at 6 p.m., in the meeting room of the Oxford Community Services Building.

Other board members in attendance were Larry Murray and Robert Hyberg. Also in attendance was Town Attorney, Lyndsey Ryan.

The minutes of the meetings of December 6, 2018 and February 7, 2019 were approved and accepted as distributed.

The following permit was re-opened from the December 6, 2018 meeting:

Permit #18-03 for SHM Brewer Oxford Boat Yard and Marina, 502 E. Strand, request to reconfigure the docks, slips and piers, replace the existing bulkhead, install a kayak launch platform, and perform dredging to the 7' MWL elevation. The applicant was represented by Doldon Moore, Tidal Wetland Consultant and Facilitator, of Doldon W. Moore and Associates, LLC and General Manager of Oxford Boatyard and Marina, Graham Norbury. Mr. Moore spoke stating that at the previous meeting with the Board of Port Wardens in December, the board had requested additional information on the proposed floating dingy/kayak float and letter of no objection from the next door neighbor to the marina, Sidney Campen. Mr. Moore noted that originally the plans showed the floating dingy/kayak float extending within the required 15' setback. A revised set of plans, dated 1/28/19, was submitted showing other changes as a result of the December 2018 meeting with the board. Chairman Campbell suggested that the board go over the changes one at a time, starting with the dingy dock. A letter from neighbor Sidney Campen to the Board was read aloud stating, in part, that because the structure will be within the 15' property line setback, that both he and his wife would not be opposed to the proposed location of the kayak (dingy) dock as detailed and that this should not be construed to mean that they are like minded on other encroachments. Mr. Murray raised a question regarding the wave wall in that location and how it would be built. Mr. Moore responded that it would be timber with alternating piles on either side of it. Mr. Murray asked if the board could expect some details on that part of the application, to which Mr. Moore responded "yes," and that wave wall would just serve to create a safe launching for kayaks.

In going over the revised plans, Mr. Moore noted that the originally proposed triangular dock had been eliminated and that the pump-out facility would remain where it is today as the result

of a request by the Department of the Environment. In the small boat basin, the fixed docks have been changed to floating docks. There will be 10 of them, 24' long x 3' wide, and will also include a floating pier adjacent to the replacement bulkhead for people to have easier access to the floating docks. ADA access will also be available. The pier will be approximately 405' long x 4' wide. Mr. Murray asked if there was a walkway all along the periphery of the basin, on land, as referenced on drawing C-5, which indicated a 3' walkway. Mr. Norbury responded there was not. Chairman Campbell commented that he didn't see that as a problem. Mr. Moore noted that it would end up with as a 2' cap board. Mr. Murray stated the plans should reflect what the permit is going to be issued for so that if there wasn't going to be a walkway, the plans should be corrected. Mr. Moore responded he would get that clarified. Chairman Campbell added that it was not mentioned in the application and that the MDE wasn't going to concern itself with the cap board. He also commented that he personally did not have a problem with that though it should be at least written in the application if there were to be a walkway. As part of the minutes, Chairman Campbell stated that in discussions regarding the cove/basin, originally there had been 70 slips in this area but that the new plans call for only 58 slips to be put back.

Chairman Campbell was of the opinion that what the board had before them to date was pretty much covered. However, he noted that Mr. Moore had voiced earlier some concerns about some test pilings. Mr. Moore responded that, for the record, he had filed an application the past Monday with the MDE and had had a meeting with two engineering firms and some geotek people as he was concerned with the substrate and potentially negative impacts to the foundation of the office area and swimming pool located in the marina, as well as loading issues. He asked if he would need to bring back any findings to the board for review. Chairman Campbell responded that his thought was that the board would not be able to approve this portion of the application and questioned if they would have to re-advertise this portion of the application to be reviewed at a later date. Attorney Ryan spoke stating that, with regards to advertising, if the board were to set a certain date, and if they knew they were meeting next month, they could just postpone it until then which would result in the application not having to be re-advertised or resulting in a new application, as long as the applicants were not bringing anything new to the application. Mr. Moore asked if the permit could get approved, tentatively, for just the 18" of bulkhead and if he could come back to the board for an amendment, if needed, when the project actually starts. Chairman Campbell responded that his thought was that the board could see this application in favor of all aspects except for an increase in the 18" that they could not pre-approve.

In an effort to clarify things, Chairman Campbell asked if Mr. Moore was hoping that if he got approval from the board and the State, the project could be started except for the few pieces in

question. Mr. Moore responded that the marina had enough open slips for the customers in the main area of the marina so that work could start this summer in the basin area and that it wouldn't be until the following off season that work could begin around the fuel dock. Mr. Moore added that he probably would not be back with any requests for modifications until later in the summer and asked if he would need to bring back the test piling results. Chairman Campbell responded that was not necessary and that that is something that has to be done prior to starting any job anyway. Mr. Murray asked as to how one would get down to the floating docks down at the main marina. Chairman Campbell noted that the plans don't show a ramp down to either of the piers at the moment and that the plans fail to indicate any ramps. Mr. Moore responded he could bring the board more details one that and would send a corrected set of plans back to them.

Mr. Murray made a motion that the board accept the permit as submitted with some additional information to be provided covering more details on the wave wall at the kayak ramp, detail on the ramps going down to the floating piers and the main marina, and, that at this point, the bulkhead at the existing fuel dock is approved to 18" channelward as applied for at this point in time, and the walkway along the periphery at the cap should be reconfigured and be spelled out. The motion was seconded by Mr. Hyberg and unanimously approved with all in favor. Chairman Campbell added that the approval was subject to all federal and state permit. The motion was then unanimously approved with all in favor.

There being no further business, the meeting was adjourned.

Respectfully submitted,

Lia Willoughby
Assistant Clerk