

April 5, 2018

The regular monthly meeting of the Oxford Board of Port Wardens was called to order by the chairman, Thomas Campbell, on Thursday, April 5, 2018 at 6:00 p.m., in the meeting room of the Oxford Community Services Building.

Other board members in attendance were Larry Murray and Robert Hyberg.

The first order of business was the approval of the minutes of the meeting of March 8, 2018. Mr. Murray made a motion that the minutes be approved as written. The motion was seconded by Mr. Hyberg and unanimously carried with all in favor.

A request for maintenance work was reviewed for Cutts and Case. The request was to replace up to eight deteriorating pilings. Mr. Campbell stated that he had visited the site and agreed that his was something that certainly needed to be done. Mr. Hyberg made a motion that the board approve the request for maintenance as submitted. The motion was seconded by Mr. Murray and unanimously carried without further discussion.

The board received an unexpected visit from Gil Anderson, representative of the Pier Street Association, regarding a dredging project that was taking place at the gravel area at the end of Pier Street. Though this project had been approved by the Board of Port Wardens back in August, 2016, the board had never received copies of the approval of the project at the State level. Mr. Anderson assured the board that those approvals had been received. Mr. Campbell asked Mr. Anderson to drop his State approvals to the town office so that they become part of the record which Mr. Anderson agreed to do.

A second request for maintenance was received from Campbell's Boatyard, 109 Myrtle Avenue. Mr. Campbell recused himself from the meeting in order to discuss his application. Mr. Murray took over as Chairman. Mr. Campbell explained that he was looking to replace two floating docks that had been extensively damaged by ice, along with excessive tides and wind this winter. The floating docks would remain in their current location. A motion was made by Mr. Hyberg to approve the request for maintenance as submitted. The motion was seconded by Mr. Murray and unanimously carried.

Mr. Campbell rejoined the meeting as Chairman.

The following permit was reviewed by the board:

Permit #18-02, Pier Street, LLC, 104 W. Pier Street, construct 3 – 3' x 20' piers; install 11 mooring pilings to create 6 boat slips.. The owner of the restaurant, Bo Oristian, was there to present the application. Mr. Campbell questioned the plat plan provided which showed an existing piling to be removed from the front of the restaurant which was not show as part of the written application. Mr. Oristian replied that he thought that the contractor was going to use it to build a new slip. A brief discussion took place and it was decided that since that area was covered by an approved maintenance permit, this request would not be acceptable. The owner said that at this time he was not planning on proceeding with work on the west side of the restaurant. A motion was made by Mr. Murray to approve the application as presented, less the removal of the existing piling, and approval by all other required agencies. The motion was seconded by Mr. Hyberg and unanimously carried with all in favor.

This concluded the review of permit applications.

At the request of the Commissioners, the board reviewed **Ordinance 1801 – AN ORDINANCE OF THE TOWN OF OXFORD TO AMEND CHAPTER 11 OF THE TOWN CODE TITLED “HARBOR MANAGEMENT ORDINANCE,” SECTION 11.12 TO CLARIFY THE STANDARDS FOR DETERMINING USEABLE WATERWAY AREA FOR CONSTRUCTION OF WATERFRONT STRUCTURES.** When the Oxford Town Code was codified, part of the relevant provisions of the 1982 Harbor Management Ordinance that dealt with how piers were supposed to be constructed was incorporated into town code. There was a lot of complicated language dealing with latitude lines that was set forth in harbor management guideline documents and over time, historically, those lateral lines computations weren’t always the best way to handle requests for new piers coming into town and most times the board used property lines extended to determine placement of piers. This ordinance would still allow the port wardens to use lateral lines extended but would also allow the use of lot lines extended using several methods along with clarifying that private piers cannot extend more than 150’ out into the water. In reviewing the ordinance, the port wardens made the following edits to the ordinance, which are as follows:

1. Page 3, Section 11.12.A.2d – in explaining the methods in which lot lines extended should be determined, the section had written *“from the side lot lines generally parallel with the existing piers located on adjacent lots.”* The board recommended that the words **“or consistent”** be added after the word *“parallel”*.
2. Page 5, Section 11.12.C.1 – the board recommended that the words *“at any time”* be added to the end of the sentence so that it reads --- *Harbor Line Setbacks. Any piers, “T” heads, “I” heads, mooring piles, moorings and/or anchorages must be set back from the harbor line an appropriate distance to assure that no moored vessel or permanent or temporary structure extends beyond the harbor line “at any time”.*
3. Page 5, Section 11.12.A.5 – The board recommended that the words **“not”** and **“beyond”** be added to this section and that the words **“or less in length”** be removed so that it would read --- *“Length of private piers. Unless already defined by the Harbor Line, new private piers, or any portion thereof, including outboard pilings, finger piers, catwalks, boat or personal watercraft lifts, platform areas or floating docks shall **(not)** extend **(beyond)** 150 feet ~~or less in length~~ measured from the mean high-water line.*

There being no further business, the meeting was adjourned.

Respectfully submitted,

Lisa Willoughby
Assistant Clerk

