

March 10, 2022

The regular monthly meeting of the Oxford Board of Port Wardens was called to order by the Chairman, Thomas Campbell, on Thursday, March 10, 2022, at 6:00 p.m., via "Zoom" due to the on-going pandemic of a virus known as Covid-19.

Other members virtually present included Robert Hyberg and Robert Trevorrow, along with Town Manager, Cheryl Lewis, and Town Planner/Planning Officer, Maria Brophy.

The minutes of the meeting of February 10, 2022 were approved and accepted as distributed.

The following Maintenance Applications were reviewed:

- Patrick Mayock, 101 E. Division Street, repair and replace back dock boards and poles on existing dock in-kind. Mr. Mayock was virtually present to discuss his application. Prior to the start of the discussion, Chairman Campbell noted that drawings and photos had been submitted with the request along with a note of approval for the project from Mr. Mayock's immediate neighbors to the east, Mr. and Mrs. Robert Valliant, Jr. Mr. Mayock explained to the board that over the years he had tried to maintain his dock but that it has become dangerously rickety. His plan was to pull out some wood along with a couple of broken poles, and replace everything with new wood, keeping the identical shape and size. Chairman Campbell asked Mr. Mayock if he would be using 4 x 4's. Mr. Mayock responded it would be either 4 x 4's or 4' x 6's and that he would not be bringing in any big pilings. He added that the dock was not used a lot, that the area was shallow, and that it was primarily used as just a place to get on and off his boat. He added that the pilings he would be removing would go back in the same spot and that because he was in the construction business, he planned on doing the work himself. Chairman Campbell stated he did not see any issues with the replacement in-kind and keeping the same footprint in place with no expansion. Mr. Hyberg made a motion to accept and approve the maintenance application as proposed. The motion was seconded by Mr. Trevorrow and unanimously carried with all in favor.
- Tom Wheeler, 514 E. Strand, excavate behind existing bulkhead and riprap; install vinyl sheathing behind wall for erosion protection. Neither the applicant nor the contractor was virtually present to discuss the application. Chairman Campbell presented the application to the other board members explaining that the property contained a waterfront home, located at the mouth of Town Creek, and that there was maybe 15 to 20 ft. of gravel area between the house and bulkhead. He explained that in looking at the property he saw that the bulkhead was failing there and that what was being requested was to drive composite sheathing behind the timber bulkhead on the landward side. Though he admitted that he had not seen that done before, Chairman Campbell felt this seemed like a viable solution. His only concern was that the property does adjoin the end of the town property at the foot of the street end of the Strand. Town Planner Maria Brophy spoke informing the board members that this application was part of another project the owners are planning. Mr. Hyberg noted that it looked like some of the pilings have shifted down along this property. Chairman Campbell felt if they could make the repairs using the vinyl sheathing, it would be an easier solution instead of dealing with the rocks. He added that the problem that has developed at the Wheelers has also developed in front of the town street end and wondered if the town should address this area as well. As far as the Wheelers, he

did not see any problem with addressing this as a maintenance request. Mr. Hyberg agreed it was a tight fit and that it would be a lot of rock to move should the work be done differently. Town Manager Cheryl Lewis asked about the town street end and Chairman Campbell repeated that he thought all the bulkhead in and around that area was failing. He felt it might be worthwhile to approach the Wheeler's contractor about it, should the firm do a good job at 514 E. Strand, adding that it may be of interest to the town to continue maintenance down along the street and that this approach seemed like it would have the least impact. Mr. Hyberg moved to accept the application as presented for the repair of the bulkhead. The motion was seconded by Mr. Trevororrow and unanimously carried.

This concluded the review of maintenance applications.

Old Business

Town Manager Lewis revisited the discussion of the harbor line revision at Crockett's Cove and the Fay property at 305 Market Street. She reminded the members that they had seen Mr. Fay's proposal to change the harbor line to meet his requests at their last meeting. Chairman Campbell responded that the board had made a favorable recommendation to what Mr. Fay was proposing noting that the board would revisit the request after the town approves the harbor line revision. Manager Lewis informed the board that the Commissioners had been provided a text of an ordinance and were shown Mr. Fay's three proposals. They questioned as to why they couldn't look into fixing the entire harbor line instead of just part of it. Lewis explained to the Commissioners it was unfair to the applicant who was simply applying for an application and still had to go through the process of gaining state and federal approval, all of which take time. She then explained to the board Mr. Fay's 3 proposals. The first would just correct his problem, the second would correct his problem and his neighbor's issue, and the third one, which Lewis mentioned she proposed to the Commissioners, was going to be the one that corrects everything in Crockett's Cove, including Mr. Fay's problem. Lewis noted that the reason she liked the third proposal was because this was just what was in Crockett's Cove at the moment and because of the anchorage basin, it would be contained just to that area. The ordinance would just correct the area within the cove and would be one more step in the correction the harbor line. She believed the Commissioners would agree on that one element and that the public shouldn't have much in the way of any issue over it. That new line which Mr. Fay was proposing would put everything there in the cove in compliance along with Mr. Fay's area. The board members all agreed. Lewis continued by stating that the Commissioner's first question was going to be if the Port Wardens were ok with the 3rd concept to fix Crockett's Cove. Mr. Hyberg commented that it appeared to him that the new harbor line would touch the outbound pilings of the slips and asked if this was correct. Lewis responded that it was and that everything currently outside the harbor line was non-conforming, though it was no fault of the owners. The correction will make everything compliant and allow dock owners to make repairs and work within the area. Chairman Campbell stated that he thought that correction would solve a lot of problems for the marinas in that area as well. Lewis told the board that she would let the Commissioners know that the Port Wardens agreed with this proposal so that they could continue to proceed with the proposed ordinance. She added that within the ordinance she was going to propose a new harbor line map but has since thought differently because the Commissioners would want to know when the Port Wardens were going to address everything else. Her thought was to address the gentleman who created the Crockett's Cove map for her to create an overall corrected harbor line that makes, as best as possible, everything complaint and have it available for the members to look over. Chairman Campbell stated that this had been done years ago but that the concept wasn't warmly

received. Lewis informed the board that the town's current three Commissioners have no understanding why anyone would have come up with the harbor line as it is now and want to correct the problems. They are also trying to get away from the grandfathered situation so applicants do not have to come before the Commissioners when they want to get something done that would require a variance. She reminded the board that their ordinance and the harbor line should be somewhat close but there may be some places that they may not be able to incorporate. It will be up to the board members to make their recommendation to the Commissioners. Lewis added that the board could do this one step at a time but that she could get it started by providing them with a concept. The important thing will be for the board members to check their codes and make sure of what they are doing as moving the harbor line will change things. It was her desire to separate the two items, the first to get Mr. Fay's request done, and then taking a look at the harbor line map. Chairman Campbell suggested that if they are going to look at the whole map, they might want to get Cemetery Cove on it too as that area has been annexed into the town waters. Lewis agreed that was probably a good idea. The discussion ended with Lewis stating she would have the ordinance the Commissioners were going to introduce regarding Mr. Fay's request at the next Port Wardens meeting so that the Port Wardens could approve it and forward it back to the Commissioners to vote on at their next meeting. Work can then begin on the harbor line map.

There being no further business, the meeting was adjourned.

Respectfully submitted,

Lisa Willoughby

Assistant Clerk