

October 13, 2022

The regular monthly meeting of the Oxford Board of Port Wardens was called to order by the chairman, Thomas Campbell, on Thursday, October 13, 2022, at 6 p.m., in the meeting room of the Oxford Community Services Building.

Other board members in attendance were Robert Trevorrow and new member, Henry Hale. Also in attendance was Town Manager, Cheryl Lewis.

The approval of the minutes of the meeting of August 18, 2022 were deferred until next month's meeting.

The following permit was reviewed by the Board:

- Permit #22-06, Lucas and Heather de Beaufort, 100 Myrtle Avenue, replacement of bulkhead. Mrs. de Beaufort was present to discuss the application. Mrs. de Beaufort explained that the bulkhead along her property was deteriorating badly, and soil was being lost into Town Creek. The plan is to replace the bulkhead in its entirety. Chairman Campbell stated, for the record, that the owners have already received a permit from the MDE to do the work. He also noted that he had been down to the site and noticed the pine trees along the shore that he had hoped the couple would be able to save. Mrs. de Beaufort responded that she thought they would be able to so. Chairman Campbell confirmed that the bulkhead really did need work. Mr. Hale agreed adding that he too had been down to look at the property and that the bulkhead would just get worse if something isn't done to it soon. No other comments from the board members or those in the audience were heard. Mr. Trevorrow made a motion to approve the application as submitted with the caveat that all applicable state and federal permits are obtained. The motion was seconded by Mr. Hale and unanimously carried without further discussion.

## **CONSULTATION**

A consultation was held with the property owner of 212 and 214 Tilghman Street, Monty Deel, along with his marine contractor, Leifer Sweitzer. The purpose of the consultation was to discuss Mr. Deel's desire to do bulkhead replacement work and change his pier configuration prior to his sending off the necessary paperwork to the MDE and Army Corps of Engineers. Mr. Sweitzer explained that currently the slips in this location harbor large sailboats and that the foremasts stick out a little bit into the channel. The owner would like to maintain his position that he has with his moorings but would like to rebuild the bulkhead inside of where it is now because it appears that at one time the bulkhead was built out in front of it. Mr. Sweitzer noted that the area is so tight now and that this change would help to knock down on some of the congestion. He added that if the members look at the survey stakes that have been laid on the corners of the property, they will find that it appears that the bulkhead, as it is now, is 2 ½' beyond the survey stakes. Chairman Campbell confirmed with Mr. Sweitzer that this would mean building behind the existing bulkhead and removing the old one in front of it and keeping the pilings where there were. Mr. Deel spoke stating that there are some of the Cutts and Case boatyard pilings are on the side of his property but that he had spoken with Ronny Cutts and learned that Mr. Cutts was planning on putting in a travel lift so that the pilings encroaching on Mr. Deel's property would be removed. Mr. Deel added that he wished to maintain the 10 slips that he already has. Chairman Campbell pointed out that the channel is narrow across from Mr. Deel's property and that he thought the Port Wardens biggest concern

was going to be confirming where the outer pilings are. Mr. Deel mentioned that his pilings were bad and would need to be replaced. Mr. Seitzer added that they would like to keep the pilings in the same position. Mr. Deel noted that he had talked to his neighbors on each side of his properties of his plans and that they did not have a problem with what he was proposing to do, adding that he had no desire to go out any further into the water from where he is now and that all the boats currently using his slips want to stay in the same place. Overall, the members of the board were agreeable to what Mr. Deel and Mr. Sweitzer were planning on doing.

## **NEW BUSINESS**

Chairman Campbell recused himself from the board in order to discuss his previously approved applications as they pertained to his Bachelor Point marina location and Jack's Point boatyard. He began by explaining that when he applied for the permits for Bachelor Point, the language was written as repair and maintenance for the existing stone jetties. However, the language should have been written as repair and maintenance of the **existing stone and timber jetties**. Mr. Campbell added that when he started talking to contractors about fixing the timber jetties, he hadn't realized that they had not been included in the drawings and that though the permits had been approved quite some time ago, the wording had never been picked up at the time the permits were submitted. A minor modification was made and a diagram of what was being built had to be provided to the State, who didn't think it needed public notice. The plan is just to build new timber jetties in front of the existing timber jetties. The other change pertains to a Jack's Point application in which the plan is to basically go back to the original configuration so that there will not be an expansion of slips. Just floating docks will be used, which had been approved, along with dredging. The footprint will not change, and the work will just be reconfiguring the original dock layout, which falls under a minor modification. The purpose of presenting these changes to the town is to get the town's approval of the minor modification to the Bachelor Point permit to allow for the repair of the timber jetties and to accept the Jack's Point permit to accept the new drawing/configuration. Mr. Hale stated he was fine with the Bachelor Point change but would like to see the Jack's Point final drawings. Mr. Campbell noted that with regards to Jack's Point, he was going back to the configuration of the area as it is today but that it would contain floating docks with one (1) new small slip. A motion was made by Mr. Trevorrow to approve the modified application of Campbell's Bachelor Point Marina to include timber bulkhead replacement per the Army Corp of Engineers application as previously approved by the Oxford Port Wardens with the amendment of replacing the timber bulkhead in-kind. The motion was seconded by Mr. Hale and carried. Mr. Trevorrow made a second motion to approve the Campbell's Jack's Point Boatyard application that changes the earlier approved application by the Port Wardens of the marina configuration that was approved by the State and Federal governments as submitted on the new drawing labeled as Exhibit A. The motion was seconded by Mr. Hale and carried.

Mr. Campbell resumed his position on the Board to partake in a discussion of the town's moorings along with owner and operator of Mathias Marine Services, Jeff Mathias, Town Manager Cheryl Lewis, and Oxford Ferry Captain, Tom Bixler. Manager Lewis began the discussion by stating that she wanted to resolve some of the language in the ordinance regarding the anchor lifting of the moorings. When the mooring ordinance was originally put in place, it was based off of things done in the New England area. Manager Lewis has since been told that the lifting of the anchors is a bad idea but wanted to discuss this with the group to talk about the language and hear their thoughts on the subject. Currently, mooring inspections are to be made every 2 years and on the 4<sup>th</sup> year the anchor is supposed to be taken up and inspected. Manager Lewis stated that she had been told this was not a good process. Mr. Mathias spoke

stating that he had reached out to harbor service in the Annapolis area who has a similar business to that of Mr. Mathias', who handles moorings for private citizens within the Town of Annapolis. He stated that both he and the business owner he had spoken with are of the opinion that the trouble with the mushroom anchor is getting it set properly and that raising it to check on its wear is not only costly for the mooring owners, but it is also challenging for the marine service handling the job to set the mushroom anchor properly again upon completing the inspection. He added that the points of wear were going to be the eye and shank above the surface, not the anchor itself. He also noted that the Helix anchoring system was not designed to be removed. Chairman Campbell noted that when this had all first come about, it was established as an ideal and since that time it's been learned that the anchors themselves are in good condition and the idea of pulling them makes no sense. He felt that what needed to be done was to establish "wear" guidelines that establish when the chains need to be pulled. Manager Lewis stated if they were to take out the 4 year criteria of lifting the anchors, they would need consider what would be the necessary criteria. Mr. Mathias spoke stating that he had looked into other areas that deal with moorings and American Marine has some interesting data and case studies on mooring failings. In most cases they find either undersized anchors or improperly installed anchors and that two-thirds of the mushroom anchors in use now are found to be improperly installed and not fully buried. Manager Lewis thought that thought should be given in assuring that the mushrooms are properly buried. Chairman Campbell added that most of problems center around a lack of maintenance to the chains and shackles. Discussion became centered around setting wear guidelines. Captain Bixler joined the discussion in sharing that the failures he has seen taking place are below the chain. Also, moorings float down, which could cause catastrophic failure to the ferry, and at that point it becomes difficult in figuring out who is the owner of the failed mooring. Captain Bixler thought the program would work with proper inspections. Manager Lewis thought a contract was needed between the town and the mooring holders, whereby the contract would specify that the mooring needed to be maintained. Other items mentioned included having the eye and chain inspected on a regular basis, specifications for shackles and chains, how to make sure the boat using the mooring is the one assigned to it and having a third party review the applications, setting up a contract with Mathias Marine Services, and labeling the moorings as private. In closing, Manager Lewis stated she would think through the conversations given, restructure some of the procedures, think about what is functional and what isn't and then bring back what she comes up with for the board to review. She added that there is a virtual meeting that she wanted to send the board members to that involves discussion of a software program that might be of some use to the town as it offers a mooring program that is free to municipalities

There being no further business, the meeting was adjourned.

Respectfully submitted,

Lisa Willoughby