

January 12, 2023

The regular monthly meeting of the Oxford Board of Port Wardens was called to order by the Chairman, Thomas Campbell, on Thursday, January 12, 2023, at 6:00 p.m., in the meeting room of the Oxford Community Services Building.

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

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

The following permits were reviewed by the board:

1. Permit #22-08, Sailaway Marine, LLC, 212 Tilghman Street, replace existing finger piers in kind and replace 202 linear feet of existing bulkhead with 46' being replaced in kind and 156' feet replaced 4' landward of mean high water; install a 42" pervious walkway along the landward edge of the bulkhead. Property owners Monty and Suzi Deel, along with Dani Racine and Sarah Freund from Lane Engineering, and Leifer Sweitzer from Sweitzer Marine, were present to discuss the application. Ms. Freund opened the discussion stating that it was brought to their attention that part of the bulkhead return is actually split between the Sailaway Marine property and the neighboring property at 210 Tilghman Street. As a result, Lane Engineering updated the drawings to show the split bulkhead return between the property owners along with what had already been provided with the application. The new drawings contained more details along with the defining the neighboring property at 210 Tilghman Street. Ms. Freund stated that they had been in contact with the neighbor at 210 Tilghman Street, who was looking for some construction clarification, specifically with regards to a small overhang. The existing return is 4 ½'. The owner would like to replace that return exactly in-kind, giving the project the return as its starting point, but rather than having it being an "L" facing in the direction that it currently is, it would be an in-kind return going outward, though it would remain in the same location. Chairman Campbell stated that the board had received a note from the neighbor, Michael Mueller, who had asked how that corner bulkhead was going to be addressed and how that would affect his property, as well as mentioning a large pine tree that is in that area. It was stated that the tree would not be removed and would remain in place. Chairman Campbell asked for confirmation that the pilings would not be going out any further channelward. Ms. Freund responded this was correct and that they would not be moved out any further. Ms. Freund added that she and Ms. Racine had spoken with Mr. Mueller and had addressed all his concerns. Mr. Hale asked if the pervious walkways were going to be wooden. Mr. Deel responded that was correct. Chairman Campbell clarified that the two faces of the bulkhead were to be moved 4' inland. He then asked about what tie backs would be used. Mr. Sweitzer responded that whatever they do they would use non-evasive tiebacks in the location of the existing pine tree and that the remainder of the tiebacks would be conventional. When asked about state and federal permitting, Ms. Racine responded that state and federal permits were not required in cases whereby one is going landward, adding that this had been verified by John Stewart (Eastern Region Chief MDE, Tidal Wetland Division). Chairman Campbell asked for any comments from the floor of which there none were received. He noted that the town would probably be needing an erosion and sediment control plan before the project starts

and that another division may have to review the pervious walkway. Town Manager Lewis spoke that the office would need to review the permit as well and that a soil erosion plan would need to be in place, especially since equipment will be used that will be disturbing the grass in an area that doesn't get fixed quickly enough. The permit should not have to go through the state process since anything under 5,000 sq feet can be approved in the office. Mrs. Deel pointed out that one side of property has a gravel area that is already there and asked if that would count as coverage on the property. Manager Lewis responded she would have to look into it but that that area could be used for stockpiling if the owners wanted. She added that the main thing she would be looking at would be if the site was secured and that she thought they were going to need to accommodate the site with a silt fence. Chairman Campbell reported that he had visited the site and talked to Ronnie Cutts, owner of Cutts and Case and neighbor to Sailaway Marine who expressed to Chairman Campbell that he was excited and supportive of the project. Chairman Campbell added that his guess as to why there were no other state permits needed for this project was because this is a replacement in-kind of finger piers and pilings but that if the owners decided to delete some things or make the project wider, a state permit would be involved. No other comments were made. Mr. Trevorrow asked how the board should handle the letter from John Stewart and the mitigation plan. Manager Lewis responded by stating the board could approve it by adding that administrative review and requirements need to be submitted as mentioned in this meeting. Mr. Trevorrow made a motion that the board approve the application of Sailaway Maine as submitted with the caveat that the town administrative mitigation plan and letter from John Stewart with the MDE are filed with the town. The motion was seconded by Mr. Hyberg and unanimously carried with all in favor. Prior to leaving, Mr. Deel noted that when he and his wife bought the property, they bought the LLC as well but that they were planning on changing the name of the Sailaway Marine property in the future.

2. Permit #22-07, Van Lott, 100 Jefferson Street, replace 110 linear feet of existing timber bulkhead with a maximum channelward extension of 18" and replace two return in kind. Mr. Lott was represented by Dani Racine and Sarah Freund of Lane Engineering. Ms. Freund noted that the application was straightforward. Chairman Campbell stated that he was aware that the application had been presented to the State but questioned if the drawing with the optional batter piles had been presented to the State as well. Ms. Freund responded that it had been. Chairman Campbell then asked if the two side bulkheads were going to be replaced in kind as well. Ms. Freund responded that was correct and that they would be creating a living shoreline for the neighbor on the north side. The option was just in the drawing page 6 of 6. No neighboring property owners were present to ask any questions nor was any written correspondence received from any of the neighboring properties. Mr. Trevorrow made a motion to approve the application as presented. The motion was seconded by all in favor.

This concluded the review of permit applications.

Prior to adjourning, Mr. Hyberg asked how long permits were good for. Chairman Campbell responded that they had been good for 3 years with the ability to extend them for another 3 years but has been recently changed to 6 years.

There being no further business, the meeting was adjourned.

Respectfully submitted,

Lisa Willoughby

Assistant Clerk