

May 9, 2024

The regular monthly meeting of the Oxford Board of Port Wardens was called to order by the Chairman, Thomas Campbell, on Thursday, May 9, 2024, at 5:00 p.m., in the meeting room of the Oxford Community Services Building.

Other commission members in attendance were Robert Trevorrow and Robert Hyberg. Also in attendance was Town Planner, Marilyn Williams.

The minutes of the meeting of April 11, 2024, were not available at this time and will be reviewed at next month's meeting.

The following permits were reviewed by the commission:

1. Permit #24-01, Alden Firth, 111 First Street, request for floating dock; non-dock mounted, non-piling mounted, modular floating dock/platform. Ms. Firth was present to answer any questions. Chairman Campbell stated that the applicant was looking to install a composite floating dock and had received her approved permit from the MDE, license number 23-PR-0791. However, MDE approved the permit for the construction of a 9.5 foot long by 8 foot wide "L" shaped floating platform within a maximum of 48 feet channelward of the mean high water line, whereas the applicant had originally asked for a 9' x 14' floating platform. Various neighbors from First Street were present to show their support for the application. Mr. Trevorrow stated that the new diagram would be made part of the application as it showed the change in the size of the dock. Mr. Trevorrow made a motion that the Firth application be approved as submitted and revised by MDE. The motion was seconded by Mr. Hyberg and unanimously carried with all in favor, noting that all state and federal permits had been approved.
2. Permit #24-02, George Curlin, 108 Pleasant Street, request to replace existing 4' x 100' pier with new 6' x 100' pier to be reoriented to comply with the setback. Dani Racine from Lane Engineering was present to discuss the application. Ms. Racine spoke stating that approval had been received from both the MDE and Army Corp of Engineers. A question was raised with regard to the applicant's plan showing the details of a boat lift that was not mentioned in the description of the proposed work nor mentioned in the MDE approval. It was noted that there had previously been a lift and that the intent was to relocate it. Planner Williams asked about any disturbance area to be created by the removal of the existing pier and pre-construction of the new pier and whether approval for the project had been submitted to the Critical Area Commission. Ms. Racine responded that all the work would be done by barge and that projects of this nature had never fallen under planning approval in the past. Chairman Campbell stated, for the record, that the applicant already had a permit from the MDE and also a license from the Department of the Environment and Corp of Engineers. He addressed those present at the meeting, asking if there was any concern about the project or the channel that goes into Robes Harbor behind Doc's Sunset Grille, or the one mooring pile located out in the area, on the north side of channel going into Robes Harbor. No questions or concerns were raised by members of the audience, though someone did mention that occasionally a waterman ties up to the mooring pile. Chairman Campbell responded that neither the Corp or State were concerned about the piling but that he just wanted to make sure that there was no potential conflict of the dock coming closer to it. Mr.

Hyberg made a motion to accept the permit as presented. The motion was seconded by Chairman Campbell and unanimously carried with all in favor.

This concluded the review of permit applications.

DISCUSSION ON THE MOORING APPLICATION PROCESS

Planner Williams reminded the members that at the last meeting they had been discussing the possibility of raising the application fees and looking over the specifications of the mooring ordinance. She presented to the members the latest mooring location map that Jeff Mathias of Mathias Marine had put together showing which moorings had been in operation back in September of 2022. She stated that letters will need to be sent to everyone on the list asking if they intended to keep their mooring or if they wanted to let it go. Along with the renewal letter, she and the board members had discussed the possibility of requiring a deposit in case the town will need to require certain chains to be pulled in the event a mooring owner fails to take care of his/her mooring. She added that they would need an idea of the cost of what Mr. Mathias would charge to drop a chain. Chairman Campbell spoke stating that he was surprised by the cost of mooring fees that Planner Williams had found of other mooring sites in the area, though he pointed out some of those places have harbor masters and others are just renting moorings. He noted that when the town originally began the mooring process, it was just to make sure the people who had moorings were inspecting them and that their vessels were seaworthy and insured. Planner Williams stated that she was looking to move along with raising the cost of mooring renewals as the renewal period was approaching. Following a discussion of costs, the members agreed that the application fee for moorings should be raised from \$25 to \$350 plus an additional one time \$350 security deposit fee to be used in an event whereby the mooring holder does not respond to any town request. The board members also agreed that the moorings should be labeled as "PRIVATE", along with having their assigned number displayed on the mooring.

Chairman Campbell questioned how to handle resident mooring owners vs. non-resident mooring owners. Planner Williams stated that it was easier to oversee and catch up with a resident than a non-resident and that the board members may want to think about setting their fees to \$350 for resident mooring owner vs. \$500 for non-resident owners. Mr. Trevorrow asked what the fees would be for existing holders. Planner Williams stated they too would be required to pay the new fees for renewal along with the additional safety deposit fee.

In going over the mooring ordinance, Mr. Trevorrow referred to Section 11.11.A, whereby it states, in part, that "in June of 2012, by Ordinance No. 1205, the Harbor Line was amended to eliminate the nonconforming status of several existing piers affixed to properties along South Morris Street." Mr. Trevorrow pointed out that since that date, other changes to the Harbor Line have been made which should be addressed along with any other proposed changes to the ordinance.

Mr. Mathias arrived later at the meeting and the members were able to go over the questions they had for him with regards to fees and what he would charge to remove or drop a chain. Mr. Mathias stated that normally he just drops chains as opposed to removing them, as that is more labor intensive. He gave a rough cost of \$200 to \$250 to do the work of dropping a mooring chain.

Planner Williams noted that in Mr. Mathias' last round of inspection, he had recommended that the Port Wardens bring the moorings up to code. She posed the question that if any of the existing moorings are not up to ABYC standards, should the Port Wardens make them bring their mooring up to those standards? Mr. Trevorror responded that he thought so and that it should be spelled out to the mooring owner, in either the mooring application or in the ordinance, that the mooring needs to remain in compliance with, or brought up to, the current ABYC standards.

Planner Williams asked the board where the mooring areas were in town for new moorings. Chairman Campbell responded that the board considers the area off the Strand as their mooring field. Planner Williams asked who was in charge of telling the applicant where to look to place their mooring. Chairman Campbell responded that the board had been directing them to Mr. Mathias for an answer. Mr. Mathias stated that he generally does not tell an applicant where to place a mooring and that it was up to the Board of Port Wardens to decide which location would be best. He added that he could give the application a lot of information and can only tell them if the area the applicant is looking at would work, from his standpoint. Planner Williams suggested that the Port Wardens could approve the mooring application, but the applicant would need to come back with the coordinates as to where they want to drop a mooring, and/or that they need to work with Mr. Mathias on it. Mr. Mathias stated he was reluctant to suggest a spot and that was not his job. He added, however, that he could provide measurements as to how far it would be from other sites.

In closing, Planner Williams stated she would work on finalizing the renewal and security fees, send the proposed changes to the ordinance to the town attorney and get an update on the latest mooring locations. All members agreed to continue to open up the mooring applications to both residents and non-residents. Keep it simple but revisit every year Marilyn says.

Prior to closing, Planner Williams asked the members about the mooring application that the members reviewed at last month's meeting for Williams Wrightson and whether or not they wanted to accept it. She stated that she had recently spoken with him and that he was looking to place his mooring out along The Strand. Mr. Trevorror made a recommendation that the board approve the application pending the location of the mooring. The motion was carried with all in favor.

There being no further business, the meeting was adjourned.

Respectfully submitted,

Lisa Willoughby

Assistant Clerk

