

**PORT AUTHORITY MEETING  
MINUTES OF February 7, 2008  
COUNCIL CHAMBERS**

Present: Chairman Milton Hall; Members: William Bailey, Barry Bush, John Carson, Joan Castellano, D. Scott Mangiafico and Guy Petty. John McCollett, Harbormaster. Public present. Gene Normandeau and one unidentified individual.

**Chairman Hall called the meeting to order at 7:01 PM.**

1. Minutes of Meeting: January 3, 2008

Chairman Hall noted the following corrections:

- page one, item 3, change “when it gets over 90<sup>o</sup>” to “when it gets warm”
- page two, 4E, delete 3. “went to Chris Tobey up in the cove”, and make “4” “3”  
replace “He” with “Dana Coyle”
- page three, 4B, add name of property to clarify location being discussed “letter regarding Badger Island Marina”  
6C identify “Jimmy Austin” as “James Austin”, change to “Harbor Master reported” to “Chairman Hall reported”
- page four, Change each “city” to “Town” of Kittery”. Change “Committee” to “Authority Member”. Correct “Harbor Mast” to Harbor Master”
- page five, Change “Committee members” to “Authority members”

**Member Berry Bush moved to accept minutes of January 3, 2008. Member John Carson seconded. All in favor by a voice vote 6 with one abstention (D. Scott Mangiafico), Motion passed.**

2. Budget Report

Chairman Hall briefly reviewed the budget. Harbor Master purchased a new motor, cost \$465 not listed. No discussion.

**Chairman Hall stated Budget Report approved as corrected.**

3. Harbor Master Segment

A. Harbor Master Boat:

Fire Pump: Harbor master, John McCollett reported the Vacuum Plate is broken. The cost is \$129.00. The price quote by Philbrick’s on the entire rig is \$429.00. He recommended replacing the old pump with a new rig since the cost would be reasonable instead of repairing the old one. Chairman Hall stated he had looked up price of engine quote as \$1100. Discussion focused on the specifics on weight, storage maintenance, and materials. Member Petty noted that there are not adequate funds in Building and Equipment and additional funds will need to be drawn from another category. Harbor Master to obtain a verified quote from Philbrick’s.

B. Pier Survey Update:

Copy of the Pier Survey was provided to each Authority Member to read for the next meeting. Harbor Master reported Town Manager recommends repair and replacement. Chairman Hall stated major pier repairs were last done at Town of Kittery Pier in 1966 and Kittery Point in 1955.

C. Traip Academy Boat Ramp

Gene Normandeau reported four new floats ready to be brought over when pilings are in and the ringbolts properly placed when the construction work is completed. Billings were sent out: three to Patton and one to Town of Kittery. Chairman Hall acknowledged the receipt of the Town of Kittery bill for \$32.40. Discussion was held regarding the three month time window to complete the work and expected delay due to weather.

D. New seals for Government Street motor

The motor is at Ripley's machine shop. If it is not completed February 4<sup>th</sup>, it will be completed after the end of February. Cost of the new seals is \$465 plus and additional \$400 from Ripley.

E. Update on 100 hour Training

Harbor Master McCollett reported he can not sign up the new Harbor Master. The correct Criminal Justice process requires:

1. Background Investigation of the new Harbor Master
2. Alert Test done in South Portland
3. Town of Kittery Police Department completes the sign up for the training to be held at the York Fire Department.

Harbor Master School is scheduled for March 22, 23, and 24<sup>th</sup>. The 100 hours begins May 31<sup>st</sup>. Harbor Master McCollett gave Captain Firth or Sergeant French as the contact persons in the Police Dept. and recommended the new Harbor Master take a dry run to the South Portland location prior to the training date.

End of Harbor Master's Report

Questions for Harbor Master:

Member Petty asked if the logbook schedule of activities had been located. Harbor Master and Member Carson had met. Member Carson stated there was enough information to prepare the material that is needed to create a calendar of scheduled Harbor Master activities.

No further questions or discussion.

E. Marinas, Piers and Floats

Gene Normandeau (Pickering Marine) Representative for all applications

A. Review/Update on Proposed Marina at 17 Badgers Island West:

Public Comments was opened by Chairman Hall. Gene Normandeau explained the three lots described in the application and shown in the plan are three lots according to deeds

recognized by the state. The Town of Kittery for the purpose of taxation does not recognize the three lots. The plan, based on the one lot recognized by the Town allowing for one dock, is now for one pier, ramp and float. Public Comments were closed. Authority discussed the problems created by the application and plan for the three lots and three piers and the change to one pier. Chairman Hall questioned the height of the pier. Normandeau explained the height was to avoid having steps to reach the deck. Chairman Hall noted Authority had received letter from J.T., the acting Town Planner from last year, stating the plan was in compliance. Mr. Normandeau agreed Pickering Marine to provide an updated application and plan showing one lot. Member Mangiafico recommended that a Tax Card be added to the Application documentation.

**Motion: Member Mangiafico moved to Continue the Public Hearing on Item # 100 Badger Island Float for Public Hearing on 10'x 20' pier, 3'x 30' ramp, and 20' x 20' float to March 8, 2008. Member Bush seconded. Roll Call Vote 7:0, motion carried.**

B. 123 Whipple

The location is up by the Shaw brother's property. Chris, the architect is from Long Island. Question: any grass, answer No, stony slope. Elevation 15 feet: Chairman Hall stated 15 feet max for waiver. Discussion regarding high tide, dock hid by foliage, and a long way to anything. Float Stops Policy required for Corp Permit, was described by Mr. Normandeau.

**Motion: Member Mangiafico moved to approve application for 123 Whipple, Lot 3, residential pier, property has 410 ft shore frontage, October 10, 2007 application, 45' x 6' pier, 3' x 30' ramp, 10' x 20' float, as noted sheet 1, depth as noted on sheet 2 of plan. Member Bush seconded. Roll Call Vote: 7:0, motion carried.**

**Motion Amended by Member Mangiafico, change "approve" to "find application substantially complete and schedule for Public Hearing for March 8, 2008." Roll Call Vote: 7:0, motion carried.**

C. Steven and Nella Graves, Kittery Point

Application is for a Residential Pier 16'x7' pier, 3'x 40' ramp, 10' x 20' float. Pier height is 16'. Mr. Normandeau stated neighboring piers may be as high, built prior to elevation standard. He stated if the height is an issue, steps for access can be added and the ramp shortened, change to 15' x 6" Pier, 36" x 3" Ramp. Mr. Normandeau explained the use of Skids, acceptable when pilings can not put in due to the rock ledge. Pickering Marine will provide new plan for the Public Hearing.

**Motion: Member Mangiafico moved Steven and Nella Grave application is found to be substantially complete with the understanding the application will be amended to show elevation of the pier deck will be no higher than 15', and the plan will be redrawn to show 36' x 3' ramp, to be scheduled for Public Hearing for March 8, 2008. Member Bush seconded. Roll Call Vote: 7:0, motion carried.**

D. Lincoln Fairchild, Kittery Point

Residential 6' x 20' Pier, 3' x 40' ramp, 10' x 20' float. The property on the south side of Chauncey Creek up by the Garrish Island bridge, which has been in the family for a long time will be placed in a conservation preserve with stipulation for the family to retain the cottage and a dock.

Member Mangiafico stated the need for a copy of the Conservation Preserve agreement for the Public Hearing. Mr. Normandeau explained the agreement has probably not been executed due to fiscal matters. He stated the organized survey shows the dock location and wetlands up by the bridge. Discussion was held regarding access to the pier. No road is planned, foot paths through the woods or along shore from the cottage. This area has been used by family in past for kayak and canoeing. The pier will be in water at all times and is behind the rock ledge point, so will not be a navigational issue high or low tide.

Chairman Hall presented letter from Code Enforcement Officer, stating plan referred to the Port Authority for review.

**Motion: Member Mangiafico moved the application for Lincoln Fairchild, Lot 10, Conservation, is found to be substantially complete, and the application plan for a 6' x 20' pier, 3' x 40' ramp, and a 10' x 20' float, with 4500 foot shoreline, be scheduled for Public Hearing for March 8, 2008. Member Bush seconded. Roll Call Vote: 7:0, motion carried.**

E. Update: Gary Marshall, application

Mr. Normandeau reported the D & P report just came in a few days ago and there has been no discussion with the Building Inspector. There is an issue that Pickering Marine has not determined a solution at this time.

4. Public Comments and Issues: None.

5. Correspondence to/from Chairman:

A. Letter to Town Council regarding incoming funds and expenditures:

Chairman Hall request approval for Signature. The 2006-2007 fiscal year figures were used, discussion by Authority, no objections voiced, approval for signature on letter given by Authority by consensus.

B. Kittery Quarterly.

C. Smart Application, copy given to Authority, has not come back from the Town Planner.

D. Pickering's Barge by Rice Avenue.

Ralph Kernea has purchased the property. Member Mangiafico questioned if they have a building permit, No answer, need to inquire.

6. Board Members New / Old Business:

Update on the advertisement for the Harbor Master Position.

Member Carson reported thirteen resumes have been received for the Harbor Master position. The committee has the resumes for evaluation and will give recommendations. A special Port Authority meeting will be called to review candidates, probably three will be recommended.

No other business.

7. Adjournment:

**Motion: Member Guy Petty moved to adjourn meeting, Motion was seconded. All in favor by a voice vote 7-0, motion passed. Meeting adjourned at 8:45 PM.**