

## KITTERY PORT AUTHORITY

APPROVED  
May 6, 2010  
Council Chambers  
7:00 P.M. –9:35 P.M.

Members Present: John Carson, Chairman, Barry Bush, Kelly Philbrook, Joan Castellano, Russell White representing the Planning Board and Harbormaster Bion Pike.

Members Absent: William Bailey

### 1. Minutes of Meeting: April 1, 2010:

Ms. Philbrook moved to approve the minutes of April 1, 2010, seconded by Mr. Bush with all in favor.

### 2. Budget Report:

Ms. Castellano stated that she had not paid anything unusual. She continued that they were still having the problem with Frisbees Market relative to unpaid bills. Harbormaster Pike indicated that there was one month outstanding. He continued that Mr. D'Amico had contacted him to ask if the invoices were being paid and assured Harbormaster Pike that they would be paid going forward. Harbormaster Pike noted the locks were coming off the dumpster the following Monday and they would be going back to the original agreement where the KPA would pay for the dumpster and Frisbees would pay for the overage. Chairman Carson stated they were getting close to the new budget and would discuss it further at the executive session.

### 3. Kittery Growth Management Plan Committee:

Councilor Beers indicated relative to the Growth Management Plan it was supposed to be finished by the close of business in 2011. He continued that Maine state statutes said the town must have the program. Councilor Beers indicated that the Growth Management Plan was larger than the comprehensive plan and included many new features. He continued the Port Authority had a huge part in the plan. Councilor Beers stated that it was a grim time for the town and the town was looking to turn the Solid Waste Facility into an enterprise facility. Councilor Beers noted there were early signs that the Rec Department was on the verge of becoming self sustaining and would produce additional revenue. He continued the Growth Management Committee would be made up of a representative from each legislative entity and six citizen members and they would be looking for cooperation from everyone involved. He noted the first meeting for the Committee would be held on May 12<sup>th</sup> at 7:00 P.M. and would meet once a month. Councilor Beers indicated they hoped to have a document ready to submit to the state planning office for a first review in July of 2011. Councilor Beers stated they were

looking for one member of the Port Authority to be on the Committee and anyone interested could let him know.

#### 4. Harbormaster Segment:

Harbormaster Pike stated that mooring renewals were 85% complete. He continued he had a meeting with the Portsmouth Yacht Club to resolve the issue of the six moorings. Harbormaster Pike indicated he thought the Army Corps was going to say no and if they created a new mooring area the Club would be first to get a spot.

Harbormaster Pike noted he had seen the finished UNH engineering study report and they had some great ideas. He continued they had come up with a total cost of \$218,000.00 but there were a lot of costs that could be significantly reduced.

Harbormaster Pike indicated that the UNH final marketing study was going to be presented on May 11<sup>th</sup>.

Harbormaster Pike noted that there was now a facebook page set up for the Kittery Harbormaster and it had links to the Pepperrell Cove facebook page.

Harbormaster Pike indicated that Chairman Carson was working on the ship grant application for the fisherman's pier which had to be submitted by June 1<sup>st</sup>.

Harbormaster Pike stated that the police department had been able to save a few hundred dollars on the security cameras by buying them in bulk.

Harbormaster Pike noted that they Port Authority needed to look into buying new radio as the current radio would not work after 2012. He continued that the total cost for the radio would be \$729.00 and they would not need a license as long as the police department agreed to let the KPA operate under their license.

Harbormaster Pike indicated they had launched the floats that Monday and the repairs were completed that day. He continued that the bathroom was open at Pepperrell Cove and the harbormaster boat had gone in the water that day.

Harbormaster Pike stated Island Ventures, LLC had contacted him and asked him to take four people out to Wood Island. He noted this was the group that was looking to restore the building and they would be fully responsible including having their own insurance.

Harbormaster Pike indicated there was a volunteer who had offered to monitor the radio during the evening to direct people to transient moorings and collect fees. Chairman Carson stated that they would need to work out a procedure if this were to go forward.

Harbormaster Pike noted signs reading "No Restaurant Parking" were going to be posted at the Wharf so that patrons at Cap'n Simeon's would not use those parking spaces.

## 5. Marinas, Piers and Floats:

a. Tom McCollum of Civil Consultants stated he was representing Peter and Wendy Reich on an application for a 6' x 16' fixed pier with a 4' x 18' ramp and a 10' x 20' float at 140 Pepperrell Road. He continued that the pier was to be fixed to the shore with two pilings at the ramp end. Mr. McCollum stated that the property was located in Fernald Cove and the existing dock was no closer than 25' from the abutting property lines and the property had 81' of shoreline. He noted they were looking to replace the existing pier. Chairman Carson stated they needed to show the offsets from the riparian lines on the diagram and the application needed to be more complete.

Mr. White moved to find the application for a 6' x 16' fixed pier with a 4' x 18' ramp and a 10' x 20' float at 140 Pepperrell Road for Peter and Wendy Reich sufficient for public hearing, seconded by Mr. Bush.

Mr. Smith noted the drawings needed to be more accurate. Mr. Bush stated they needed to see the DEP permit, the skid plan, the riparian lines and the immediate abutters. Mr. White withdrew his motion.

Mr. White moved to continue action on the application, seconded by Ms. Philbrook. A roll call vote was taken with all in favor. Motion passes 6/0.

Chairman Carson stated that this could go back on the agenda for the June meeting.

b. Zachary Taylor from Riverside Marine stated he was representing Dr. Swallow on a "Rule by Permit" application to replace a float and pier at 17 Water St. based on a permit granted to the previous owner to rebuild an existing system. He continued they were looking to replace the existing float and ramp and the KPA had approved a previous application on June 6, 2006 to replace the docking system. Mr. Taylor noted the dock had been rebuilt and the current owner wanted to replace the ramp and float.

Mr. White moved to approve the "Rule by Permit" application to replace a float and pier for Dr. Swallow at 17 Water St. based on a permit granted to the previous owner as presented, seconded by Mr. Bush. A roll call vote was taken with all in favor. Motion passes 6/0.

## 6. Public Comments and Issues

Milton Hall came to the podium and stated he was wondering about the revenue for excise tax and noted in 1992 it was included as revenue for the KPA.

## 7. Correspondence to/from Chairman:

Chairman Carson stated that the Portsmouth Yacht Club was disappointed to lose their moorings and had been cooperative. He continued that the issue would be resolved this summer and they were looking at opening a mooring field off of Ft. McClary.

Chairman Carson noted relative to the connections study that there was a meeting the previous week where all the options had been laid out. He continued this would quickly come to fruition and thought that vehicle traffic should be maintained as the businesses in town were highly dependant on it.

Chairman Carson stated relative to the Shipyard back channel, a request for proposal for enlarging the Back Channel Marina will be issued this summer. He continued the new float/slip system should be completed by the next boating season and hydrographic work had begun in October. He noted the KPA had a basic interest in the permitting process.

#### 8. Board Members New and Old Business:

Ms. Philbrook stated the Fisherman's Advisory Committee had met two weeks earlier. She noted that Dave Kaselauskas., Ed Foye, Steve Lawrence and Harbormaster Pike had attended the meeting. She continued that the meeting had gone well and the fishermen had a lot of great ideas. Ms. Philbrook stated that the members had suggested Steve Taylor or Brad Parady as the final member of the group or suggested having a non-commercial fisherman in the group such as Steve Gilbert. Harbormaster Pike stated that the fishermen were excited about the Committee and would come to the July meeting of the KPA. He noted the Committee was planning to meet Thursdays prior to the Port Authority meetings.

Ms. Philbrook moved to appoint Steve Lawrence, Dave Kaselauskas and Ed Foye as members of the Fisherman's Advisory Committee, seconded by Mr. Bush. A roll call vote was taken with all in favor. Motion passes 6/0.

Harbormaster Pike stated that there were other fishing interests and it may be appropriate to have a non-commercial fisherman on the committee. Chairman Carson indicated they should come up with ground rules and put people on a waiting list similar to the Port Authority.

Chairman Carson stated they were under pressure by the Army Corps to equalize the mooring costs and they needed to come up with a revised mooring fee schedule. He continued they needed to keep the same revenue and they schedule needed to be in place by July 1<sup>st</sup> and they would have to hold a public hearing on the issue.

Chairman Carson noted he was looking at other fees to come up with a revenue plan for the next few months. He continued he was looking into a single vendor insurance policy to reduce costs.

Chairman Carson indicated the Harbormaster Code of Ethics and Stormplan would be firmed up after the next meeting.

9. Executive Session:

Mr. White moved to go into executive session in accordance with 1 M.R.S. § 405 (6)(A) to discuss personnel matters, seconded by Mr. Bush with all in favor. Motion passes 6/0. Executive Session opened at 9:10 P.M.

Mr. White moved to close the executive session, seconded by Mr. Smith with all in favor. Motion passes 6/0. Executive Session closed at 9:30 P.M.

10. Adjournment:

Mr. Smith moved to adjourn, seconded by Mr. White with all in a favor. Meeting adjourned at 9:35 P.M.