



KITTERY PORT AUTHORITY

March 5, 2015 Meeting Minutes

Council Chambers, Town Hall

Members Present: Kelly Philbrook, Steve Lawrence, Ray Grenier, Ann Grinnell

Members Absent: none

Staff: Harbormaster Derek Jacobs

Meeting began at 6:02 p.m.

1. Minutes: February 5, 2015

Ms. Grinnell moved to approve

Mr. Lawrence seconded

Motion carried unanimously

2. Public Segment - There was no public comment

3. Harbormaster / Financial Reports: Derek Jacobs

YTD revenues at \$50,280 represent approximately half the anticipated revenue.

Expenses to date are at approximately 76% of total budget.

Working on receiving estimates for replacement of hoists at Government Street and Pepperrell Cove.

Addressed the FY 2016 Goals to be submitted to Council. Requested any additions or changes be provided to Derek prior to March 10.

Will be at Harbormaster Training in Castine from March 18-20. This will be posted on the website.

Reported ice back-up in the Back Channel, partially due to construction and barges. Some minor damage reported. Dock with attached dinghy, owned by Ken Lemont, separated due to high winds, and has not yet been located.

4. Piers Wharfs and Floats:

Application by Gordon C. Blake, 17 Badgers Island West, Map 1, Lot 25 in the MU-BI Zone to construct two 4'x16' floats, reconstruct existing floats, and modify existing ramp.

Wade Blake: Wish to refurbish existing floats, add two, 4x16-foot in-bound floats, and add a 32-foot aluminum ramp to the side of the dock. Half of the existing ramp will be used to decrease the incline. The dock was last used as a commercial pier, but will be open to recreational use as well.

Mr. Lawrence: Asked about the distance to the abutting property (McGarry) from his pier.

Mr. Blake: I estimated it at 20 feet.

Mr. Lawrence: 25 feet is required (IV.G.4 Rules and Regulations).

Ms. Grinnell: It appears he is moving closer than the 25 feet that is allowed with the proposal.

Ms. Philbrook: The applicant would have to receive a letter of no objection from the abutter if encroaching into the 25-foot setback.

Mr. Lawrence: Could the proposed float be moved to the west where you have more room?

Mr. Blake: I could move it to the west; it is feasible. But prefer it be on the east side.

Discussion followed regarding available space on both sides of the proposed pier.

Mr. Blake: When did the 25 feet requirement begin as she [McGarry] has a new pier and didn't ask my permission.

Ms. Philbrook: If it was a repair in kind the location is grandfathered. Your request is to increase the length and width.

Mr. Hall: [The 25-foot setback was included] in 1992.

Discussion followed regarding parking for a marina and setbacks. A marina is defined as four or more slips. It appears he will need permission from both sides.

Mr. Grenier: You should check to be sure you have enough room on the west side, as well, or permission will be needed as well.

Ms. Philbrook: It will go on the agenda for next month when a site walk will be scheduled, and a public hearing will be scheduled for the May agenda.

Mr. Lawrence: You are not extending any further out?

Mr. Blake: No, that remains the same as it is now and in prior years. I do not require Army Corps review and Submerged Lands indicated they had no issues.

Mr. Lawrence: Noted the Submerged Lands Lease reads the 16 foot floats represent an increase in length from 16 feet to 24 feet.

Mr. Blake: Carol Dibello noted this discrepancy.

5. Rules & Regulations: Two workshops held to discuss changes to the rules and regulations

• Hoist Usage Fee

Ms. Philbrook: Can income from Commercial Hoist Fees be set aside for use only for hoist repair or replacement?

Harbormaster Jacobs: To do so we would have to go through Council.

Ms. Philbrook: The account should exist before we proceed. Mr. Lawrence: We should be sure the account is available to us before we institute fees.

Discussion followed the proposed fees and definitions:

Commercial: \$100.00

Non-Mooring Holder: \$400.00

Commercial Enterprise: \$500.00 (daily)

Discussion followed regarding time limits; definitions; services available to justify the fees; are boat haulers considered commercial enterprises?;

Milton Hall: This is an added expense for residents; should be non-residents and residents.

Ms. Philbrook: Need definitions for all these proposed fees.

Discussion followed regarding hoists and need for a dedicated account be in place to replace or repair existing hoists.

Mr. Lawrence: Boat-haulers should be added as another type of permit.

Mr. Lawrence and Harbormaster Jacobs will develop definitions; once the wording is together a workshop can be held to discuss. A workshop was scheduled for Monday, March 23 at 6:00 p.m.

• Guest Mooring Program - Members agreed in workshop to have a temporary list that comes from the waiting list; the temporary owner would pay the minimum fee of \$150; if the mooring owner does not use the mooring, the minimum \$150 would apply; owner would authorize the Harbormaster to allow someone else to use the mooring; that user will pay the minimum mooring fees, per foot charges, and service the mooring to safe standards. In addition to re-adding the removed temporary mooring language, the proposed changes include:

N.2. A mooring site permit holder must place ~~his~~ **the** mooring in the Temporary Mooring program for reassignment for a minimum of one full season; **expiring on December 31. The mooring holder will pay \$150 to maintain the ownership of their mooring.** ~~longer periods of up to three years may also be designated.~~ Placement of a mooring site in the Temporary Mooring program shall be made prior to **April 15.**

N.5. During the period that a mooring site is in the Temporary Mooring program, the person to whom the mooring site is assigned shall be responsible for all fees, inspections, and maintenance of the mooring tackle. **Proof of inspection and/or maintenance must be provided to the Harbormaster prior to putting the boat on the mooring.**

X.D. Other Fees

1. Town Transient Mooring Rental: \$30.00 per night (14 days maximum, or at the discretion of the Harbormaster);
2. Town Transient Slip Rental: \$2.50 per foot for overnight and \$15.00 per receptacle. Dock must be vacated by noon the following day.

Ms. Grinnell moved to place the temporary mooring holder amendments to the Rules and Regulations for a public hearing on April 2, 2015.

Mr. Grenier seconded

Motion carried unanimously

6. Board Business

- Action List: No changes
- Other

7. Adjourn

The Port Authority meeting of March 5, 2015 adjourned at 7:13 p.m.

