

Chair Philbrook and the Board took a moment to remember Milton Hall and extended their condolences to his family.

**1. Call to Order**

Chair Philbrook called the meeting to order at 6:00 p.m.

**Members present:** Kelly Philbrook, Chair; Charlie Patten, Member; Bryan Bush, Member; Niles Pinkham, Member, Steve Lawrence, Member, Mark Drummond, Secretary; Bruce Crawford, Vice Chair

**Staff:** John Brosnihan, Harbormaster

Chair Philbrook introduced the new Harbormaster, John Brosnihan, and shared his work history. She added today was his first day.

**2. Pledge of Allegiance**

**3. Agenda Amendments**

None.

**4. Acceptance of Previous Minutes: May 3, 2018**

**Line 38** – change “\$1,009” to “\$100,009”

**Line 52** – add “is” after plumber

**Line 101** – replace “ramp” with “float”

**Line 131** – remove “and the Harbormaster, add “not” before revoked, change “landowner” to “Harbormaster”

**Line 163** – changed to 501c3 status

**Mr. Lawrence moved to accept the Minutes as amended for May 3, 2018.**

**Mr. Patten seconded the motion.**

**The motion carried 7-0-0.**

**5. Harbormaster and Budget Report**

Town Manager Amaral gave an overview of the budget.

**Revenues**

Year to date through May, fees are \$116,011 which is \$5,000 off the projected amount.

Expenses

Year to date through May, \$101,961 has been spent leaving \$28,000 in in the budget. The Town Manager explained budget projections have been done and the budget will be the same or slightly lower for the upcoming fiscal year.

Mooring revocation letters have been issued and Ms. Amaral apologized to the Board for sending them out before informing them. She explained how the mooring letters were prepared this year and added they attempted to pull out riparian mooring renewal letters.

Ms. Amaral reported she submitted all applications for no wake buoys to the Coast Guard. She was informed they are working on the applications and the only issue is that the Town's coordinates do not match their system. She has given them the information from Chair Philbrook and Mr. Lawrence and the contact at the Coast Guard is working on it.

The invitation to bid for three retired floats is being finalized and Ms. Amaral explained the requirements of the bidding process.

Chair Philbrook welcomed the Town's new dock attendant, Christopher Evencic, who has worked with the KPA before. She explained he will be assisting the Harbormaster and Assistant Harbormaster.

The timer for the lights is malfunctioning at Pepperrell Cove and the Chair has requested it be checked.

- a. A request from Everett Hall for a riparian at the Isles of Shoals

Chair Philbrook reported Everette Hall has requested a riparian mooring at the Isle of Shoals. She explained landowners or lessees at the Isle of Shoals have a right to a mooring. She requested the Harbormaster contact Mr. Hall and ask him where he would like to locate his mooring and have him mark it with a buoy. She requested a Board member bring the Harbormaster out to the Isles of Shoals, so he can become acquainted with the area. She explained to Mr. Broshnihan the procedure to authorize the mooring.

6. All Items involving the Town Officials or invited guests

None.

7. Public Hearing

- a. The Kittery Port Authority moves to hold a public hearing on an application from Nicholas and Amy Mercier (map 10 - 6A) 134 Whipple Road,

Kittery ME for a 6'x94' permanent pier, 3'x40' gangway and a 10'x40' float.  
Agent: Riverside and Pickering Marine.

Zackary Taylor explained this project has had a site walk to review the location. He added it is currently under review with the Army Corps of Engineers and the DEP. The design of the pier is in line with the other piers in the area and the length will not be longer than the other piers.

Chair Philbrook opened the public hearing. There being none, the Chair closed the public hearing.

Mr. Taylor confirmed there will be no bracing between the pilings to prohibit kayaks and paddle boards to pass underneath.

**Mr. Lawrence moved to approve the application for Nicholas and Amy Mercier (map 10 - 6A) 134 Whipple Road, Kittery ME for a 6'x94' permanent pier, 3'x40' gangway and a 10'x40' float.  
Mr. Pinkham seconded the motion.**

**The motion carried 7-0-0.**

b. The Kittery Port Authority moves to hold a public hearing on an application from Thomas and Michele Jordan (map 44,59) 50 Chauncey Creek Road, Kittery Point for an in-kind replacement of an existing pier, replacing an existing 2'x10.5' gangway with a 3'x20' gangway, and replace an existing 10'x12' float with a 10'x24' float. Agent: Zachary Taylor, Riverside and Pickering Marine.

Mr. Taylor explained the proposed plan is to replace the fixed pier and the existing gangway and float which are in bad shape. There are no proposed changes for the pier, but the applicant would like to modify the design of the gangway to reduce the steepness and modify the float size to 10'x24'. He believes he has received the DEP and Army Corps of Engineers approval and will confirm.

Chair Philbrook opened the public hearing. There being none, the Chair closed the public hearing.

Mr. Taylor reported the applicant will be hiring another contractor to do the work on the stairs and will get a permit from the Town.

**Mr. Lawrence moved to approve the application from Thomas and Michele Jordan (map 44,59) 50 Chauncey Creek Road, Kittery Point for an in-kind replacement of an existing pier, replacing an existing 2'x10.5' gangway with a 3'x20' gangway, and replace an existing 10'x12' float with a 10'x24' float.  
Mr. Patten seconded the motion.**

**The motion carried 7-0-0.**

**8. Piers, Wharves & Floats**

- a. The Kittery Port Authority moves to review and accept an application from Daniel and Linda Seaward for a 10'x20' float expansion to the existing pier, gangway and float system along their property on Chauncey Creek. Agent: Riverside and Pickering Marine.

Mr. Taylor explained this project is in Chauncey Creek and there is an existing docking structure on the property which was approved around 1999 by the KPA. He explained the dock is in good shape and the applicant is proposing to expand the float to the downriver side of the existing pier to allow for additional tie up space. He explained the reason for locating the float downriver is because most of the shoreline is rocky and he gave a description of the area. The project has been submitted for approval to the DEP, the Army Corps of Engineers and other required entities.

Mr. Lawrence noted the float had ice damage when he saw it this winter. Chair Philbrook commented the gangway was in bad shape as well.

**Mr. Lawrence moved accept the application as complete from Daniel and Linda Seaward for a 10'x20' float expansion to the existing pier, gangway and float system along their property on Chauncey Creek from and schedule a site walk and public hearing at the July 5, 2018 meeting.**  
**Mr. Bush seconded the motion.**

A site walk was scheduled June 26<sup>th</sup> at 5:00 pm.

**The motion carried 7-0-0.**

9. The Kittery Port Authority will hear appeals from mooring holders who received mooring revocation letters and requested an appeal in writing.

Six individuals wrote appeals from the mooring revocation letters.

**Mr. Lawrence moved that the Kittery Port Authority reinstate the following mooring privileges: mooring #270 - Alan Johnston; mooring #118- Brad Newark; mooring #225 – Richard and Susan Renner; mooring #281 – Shaye Robbins; mooring #317 - Ronald Wojen; and mooring #307 – Clint Reed if the mooring fees are paid by June 14, 2018.**

**Vice Chair Crawford seconded the motion.**

**The motion carried 7-0-0.**

Mr. Lawrence reminded the public the cut-off date of April 15<sup>th</sup> will be enforced in the future.

**10. Public Segment (Three Mins.)**

The Chair opened the public segment. Hearing none, the Chair closed the public segment.

**11. Unfinished Business**

**a. Frank C Frisbee Memorial Bench**

Chair Philbrook reported the money has been successfully raised for the memorial bench. She asked Board members for assistance assembling the bench and read the language that will be on the plaque.

**b. Retired Floats in Pepperrell Cove**

This item was discussed during the Harbormaster's report.

**12. New Business**

**a. Transient Fees at Pepperrell Cove**

Chair Philbrook researched how other municipalities manage hourly dock fees and included the information in the Board packets. She added she was only able to find information from Portsmouth. She explained she had suggested at the last meeting to wait a year to see if docking issues arose from the opening of the restaurants at Pepperrell Cove, but other board members wanted to pursue looking into hourly docking fees. She believes it would be difficult to enforce and maintain hourly dock fees. The Harbormaster commented this is a parking issue and he would like to take some time to think of a system of enforcement.

Mr. Lawrence commented the KPA and the Town should not be supplying wharf space for another entity. After further discussion, the Board agreed to discuss this issue at the next meeting.

**13. Committee and Other Reports**

**a. Communications from the Chairperson**

The Chair announced Traip Academy's Graduation will be on June 15<sup>th</sup> and no parking will be allowed there for the entire day. She added the last day of school is June 19<sup>th</sup> and parking will be allowed after that.

\* KPA elections are next month

KPA election of officers is due next month and because of the timing, Chair Philbrook requested the Board to consider changing elections from the fiscal year to the first of the year. She explained January is a less demanding time than July for the Board. She added, if they decide to make the change, the Bylaws would need to be amended and she explained the procedure.

Chair Philbrook, Vice Chair Crawford and Mr. Drummond agreed to remain as Chair, Vice Chair and Secretary until January. A formal vote to change the election date will take place at the next meeting.

**b. Committee Reports**

**\*Government Street Wharf Updates**

Vice Chair Crawford handed out a sheet of the boundary information he received from North Easterly Survey explaining how to shift the ramp over five feet to make it center with the ROW. He agrees with this plan because it will keep the ramp entirely on Town property.

The geotechnical report found ledge under the wharf which will require a similar design for the piles as the current pier. The results of the probes done from the front third of the existing pier found plenty of mud which will be adequate for piles.

Mr. Patten asked about pinning the pilings to the ledge. Vice Chair Crawford explained pinning is more expensive and he isn't concerned because the piles could be driven close to where the existing piles are now. The Town Manager has the full report on the wharf and if a Board member or the public would like to review it, to contact the office.

Chair Philbrook reminded the public of the upcoming election and to consider supporting the request of funds to support Government Street Wharf, which is on the ballot. She added she hopes people will vote to approve this item.

**13. Board Member Issues or Comments**

Steve Lawrence – Thanked Mr. Brosnihan for taking the job and thinks he will do a great job and to contact him if he needs help or has questions.

Mr. Lawrence believes there are five moorings that are no longer in the back channel. He suggested offering the spots to fishermen in town with commercial licenses who desperately need a mooring. He believes this area is more geared for commercial use and sailboats have difficulty accessing their moorings in this location. There are five people on the list. He would like to see a float system added in the future but

understands floats are expensive. Chair Philbrook explained most people on the wait list have pleasure boats or sailboats and would prefer the other side towards the yacht yard rather than in the commercial area. She added it has been the history of the KPA and the State to issue moorings commercially and have a priority over the pleasure boaters. Mr. Patten stated they had considered allowing floats to optimize mooring space and increase the revenue at a previous meeting. The Chair would like to pursue floats in the back channel and believes this will be a great opportunity to do this. Discussion on ways to address adding floats and create standards ensued. Mr. Bush will work on creating standards and Chair Philbrook will add scheduling a workshop to discuss them to the July agenda.

Mr. Lawrence added Mr. Breton fixed the boat launch at Traip.

Bryan Bush – Welcomed the new Harbormaster and told him they are available to help.

Mark Drummond – Welcomed the new Harbormaster.

Charlie Patten – Told Mr. Brosnihan the members of the Board are available for help.

Niles Pinkham – Welcomed the new Harbormaster.

Bruce Crawford – Welcomed the new Harbormaster and offered to help him if he needs it.

Kelly Philbrook – Announced she received a report of fees collected at Traip from Mr. Breton and the total for May is \$1,685. She reminded mooring holders at Traip they are not usually not allowed to cable and lock their dinghies to the floats. She requested people use ten-foot tie ups for their boats. She reminded the public to prepare their boats in the parking lot and not on the ramp at Traip. She also requested the public to pick up after their dogs at Pepperrell Cove because it has become a problem. She added there are bags and dumpsters available. You cannot park boat trailers at Pepperrell Cove and additional parking will be at the Mitchell School after school ends for the year. The ice machine is not owned by the Town and belongs to Provisions Store. The machine is partly on the Town's property and the owners will remove it if necessary.

#### **14. Executive Session**

None.

#### **15. Adjournment**

**Mr. Lawrence moved to adjourn the meeting at 7:17 p.m.  
Mr. Bush seconded the motion.**

**The motion carried 7-0-0.**

Submitted by Mary Mancini, recording secretary.

Disclaimer: The following minutes constitute the author's understanding of the meeting. Whilst every effort has been made to ensure the accuracy of the information, the minutes are not intended as a verbatim transcript of comments at the meeting, but a summary of the discussion and actions that took place. For complete details, please refer to the video of the meeting on the Town of Kittery website at <http://www.townhallstreams.com/locations/kittery-maine>.