

1. CALL TO ORDER

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

Members Present: Steve Lawrence, Mark Drummond, Mark Alesse, Charlie Patten, Bruce Crawford, Kelly Philbrook

Absent: Peter Johnson

Staff Present: Scott Alessi, Harbormaster

2. PLEDGE OF ALLEGIANCE

3. AGENDA AMENDMENT & ADOPTION

The were no amendments to the Agenda.

4. MINUTES: NOVEMBER 3, 2016

Line 56 – change “float #4” to “no wake buoy float”

Line 80 – change “agrees” to “stated”

Line 137 – 140 –change “pilons” to “pilings”

Mr. Lawrence moved to accept the Minutes as amended.

Mr. Drummond seconded the motion

The motion carried 6-0-0.

5. HARBORMASTER REPORT

- Rice Avenue building doors are completed.
- Finished cleaning and winterizing the skip.
- Working on the abandoned sailboat issue with Duncan McEachern, the Town’s attorney.
- Fire extinguishers have all been installed.

Discussion of the abandoned sailboat. The amount of \$4,600 is owed to the Town and will never been recouped. Mr. Alessi is waiting to see if the Town needs to spend money to have removed. Mr. Lawrence pointed out there is \$993 in the budget for signs. Mr. Lawrence will meet with Mr. Alessi to work on this project.

Chair Philbrook stated her concern for the mooring of the abandoned sailboat. She also asked if anyone had questions on the budget. Vice Chair Crawford asked about the overtime. Chair Philbrook responded she was contacted by the assistant harbormaster, Allan Breton, and believes it was to cover overtime when the former harbormaster was on vacation.

Chair Philbrook explained there is \$300 for uniforms in the budget and can be used for the new harbormaster. A new line needs to be added in the budget for commercial dock fees which were recently collected by Mr. Alessi, along with water use fees.

6. PUBLIC HEARINGS

None.

7. PIERS, WHARVES AND FLOATS

- a. Application for Robert & Karen Couture 22 Captains Way, Kittery Point ME for the construction, modification, reconstruction of a tidal docking structure consisting of a 4'x20' wooden access way, a 8'x45' Stone pier (existing in kind), a 3'x35' aluminum gangway, and a 10'x24' float along shorefront on Weir's Creek.

Steve Riker, Ambit Engineering, stated the project will require Maine DEP approval along with the Army Corp. of Engineer's approval. He explained the existing layout and the plans for the proposed structure, which will include putting wooden decking with a safety railing over the existing concrete stairs. He explained the float will be maintained by adequate chains and moorings and sit on the mud at low tide. Mr. Riker also stated there is an existing footpath that will provide access to the dock. Work will be done from the waterside at low tide during work window between November 8th through April 9th.

Mr. Patten pointed out a discrepancy in the view between the detailed drawing in the packet and the plan shown tonight. Mr. Riker will revise and double check with the contractor. Mr. Patten also stated his concern with the navigational hazard.

Mr. Riker will fix the typo on the letter dated July 22nd to read Maine not NH DEP. Discussion of the boat being in the mud at low tide and the risk of it tipping over. Mr. Riker has made the owners aware.

Chair Philbrook commented the maps do not show of the riparian lines and setbacks. Mr. Riker will provide a copy of the survey plan. The Chair stated the Board will need to see this information on the plan.

Mr. Riker will take out the wording "in-kind" and add the pier will be decked over. DEP plan approval is expected in mid-February

The Board determined the application was incomplete for approval at tonight's meeting. They requested a map with riparian lines, a chain schematic to secure the float, show the correct orientation of the float on the section view, and review the requirements/rules listed on the application.

Mr. Lawrence made a motion to table the application of Robert and Karen Couture, 22 Captain's Way, Kittery Point until see new application with riparian lines and changing the anchoring system as noted in the plans and changing the cross section to show how the float will be secured.

Mr. Drummond seconded the motion.

The motion carried 6-0-0.

- b. Application for Sylvia Fallow Brewster 1 Bond Road, Kittery Point ME to construct a tidal docking structure consisting of a 4'x12' access ramp, a 4'x45' fixed pier, a 3'x30' aluminum gangway, and a 10'x20' float along shorefront on Barter's Creek.

Mr. Riker stated there is currently no tidal docking structure. The application needs to be approved by the Maine DEP and The Army Corp. of Engineer's. A lot of survey work was done. Mr. Riker explained the structures he plans to use under the float and they will be placed parallel to the float. There is an existing footpath. All work will be performed from the waterside and will be located 153.3 feet from Crocket Neck Road. The chains will cross behind the float and Mr. Riker will revise the plan to show this. He added the gangplank is hinged top to bottom. Vice Chair Crawford requested the culvert be shown on the C1 plan.

Mr. Lawrence made a motion to move forward and schedule a site walk for the application of a pier for Sylvia Fallow Brewster 2002 Trust, 1 Bond Road, Kittery Point, ME.
Mr. Alesse seconded the motion.

Site walk will be done at low tide on December 12th at 2:30 p.m.

The motion carried 6-0-0.

The Board Requested a stake be added where pier will end.

- c. Application for James W Stott & Jonathan King 100 Pepperrell Road, Kittery Point ME to replace an existing 10'x20' float with a new 10'x40' float and two new pilings along shorefront on Pepperrell Cove.

Mr. Riker explained the owners are purchasing a larger boat and need a larger float. He explained the proposed installation and this needs approval from the Maine DEP and the Army Corp. of Engineers. Chair Philbrook believes the extension would bring it over the limit and a waiver would be required.

Mr. Patten stated the detail drawing shows the proposed float will be in mud at low water and Appendix B narrative is not consistent with the drawing. He also stated the elevation is not drawn correctly. Board members disagreed with the water elevations for low tide and questioned the boat falling off the float.

Vice Chair Crawford asked if the existing float pilings will be removed or used as float stops and explained the information needs to be consistent on all sheets.

The Board determined the application was incomplete for approval at tonight's meeting.

Mr. Crawford moved to postpone the application of James W. Stott & Jonathan King until next month pending further information on elevations, tidal information and float stops. Mr. Patten seconded the motion.

The Board requested clarity from the applicant whether this will be a 40-ft. float or 2 20 ft. floats.

The motion carried 6-0-0.

8. PUBLIC SEGMENT

Chair Philbrook opened the public hearing.

Resident Milton Hall explained Maine uses zero for low water. He informed the Harbormaster a dingy was adrift and he took it in and tied it to a float on the south side. He also noticed a whaler was about to sink because the pump battery ran down.

Mr. Hall stated the requirements for applicants when pier and float are existing, delays the process.

There being no further comments the Chair closed the public hearing

9. UNFINISHED BUSINESS

a. Harbor Water Use Fee

Chair Philbrook recommended to continue the user fee for the coming year and try to enforce it. Mr. Alesse stated he researched online registration and discovered municipalities can opt in or out of the online process. Chair Philbrook will check with the Town Clerk if opting out can be done for boats only.

b. Intergovernmental Memorandum of Agreement

Chair Philbrook explained the Town Manager has reviewed the changes in the IMA and gave her recommendations. The Town Manager agreed to the changes the KPA recommended.

The Town Council Chair contacted the her regarding the working groups. He wanted to know if members are available on December 19th for a workshop. Board members agreed. Items discussed will be IMA, Title 2, harbormaster's job description approval and harbor water usage fee. The meeting will begin at 6:00 p.m.

10. NEW BUSINESS

a. The Kittery Port Authority moves to appoint Scott Alessi to the position of harbormaster.

Chair Philbrook stated after interviewing five candidates, Scott Alessi was chosen.

Mr. Lawrence moved to appoint Scott Alessi as Harbormaster for the term of two years
Mr. Drummond seconded the motion.

The motion carried 6-0-0.

- b. Commercial Boat Haulers Launch Fee

M. Johnson and Mr. Lawrence are still looking into this item.

11. COMMITTEE AND OTHER REPORTS

- a. Communications from Chairperson

- Lobster Trap Wire Tie

Chair Philbrook read a letter from Earledean Wells, Chair of the Conservation Committee. Ms. Wells sent the letter because of the increase of cable ties on the beach noted after the recent coastal beach cleanup. There were 597 cable ties picked up. Chair Philbrook requested the public to place ties in a receptacle and not throw them into the ocean.

- Schedule for Future Workshop
No workshops are scheduled for December.

- b. Committee Reports

- Replacement Floats
Mr. Alessi reported the previous harbormaster did not order the floats. The Board was in consensus to have Mr. Alessi get estimates.

Chair Philbrook reported the Comprehensive Plan is coming to an end. The Marine Section was reviewed and there is an action list. The Committee requested a pamphlet on rules, regulations and safe areas where water access is allowed.

She thanked Traip Academy for the CPR class for the harbormaster.

Chair Philbrook was contacted by an attorney who is looking at potential growth of the Frisbee Store/Pepperell Cove restaurant property. He asked if the pier could be extended. She sent copies of the minutes the Board voted down extended the pier in the past. She told him they are welcome to apply.

There are new cameras at Pepperell Cove.

Mr. Alessi reported he took down the torn and tattered flags and replaced them. Chair Philbrook asked if they should remain all winter. The Board was in consensus to leave them up.

Chair Philbrook reported she was contacted by Mr. Karalius from the Army Corp. of Engineers. He would like to talk with KPA regarding dredging. She would like to include

the Town Manager in this discussion. Board members discussed the impact of dredging. Chair Philbrook stated all moorings would need to be removed to have the harbor dredged. After discussion, the Board was in consensus to have Chair Philbrook and the Town Manager meet with Mr. Karalius.

- CIP Update

The Town Manager and Chair Philbrook reviewed the amounts in the accounts and to decided which ones to close. The Town Manager recommends asking for \$5,000 for boat reserve annually. The Town Manager also suggested taking the float and ramp project and renaming it Facility Replacement Program and ask for \$18,000 every year. Chair stated her concern with Government Street Pier.

Mr. Hall stated in 2009, residents voted to keep Government Street Pier until 2019 when a surveyor's report said it should be condemned. Mr. Hall also stated it is a wharf not a pier as mentioned in the Comprehensive Plan. The Board decided to request \$50,000 or more a year to anticipate replacing Government Street Pier. Board members discussed replacing the harbormaster's boat. Mr. Alessi will look up the surveyor's report from 2009.

11. COMMITTEE REPORTS

- Lighting and Railing

Vice Chair Crawford reported the project will be starting in a couple of weeks and the contract has been signed.

12. BOARD MEMBER DISCUSSION

Mr. Lawrence – Move on signage.

Mr. Drummond – None.

Mr. Patten – He will make a list of the safety concerns when floats were removed.

Mr. Alesse – Will be happy to help with the signage.

Vice Chair Crawford – None.

13. Adjournment.

Mr. Alesse made a motion to adjourn at 8:00 p.m.

Mr. Lawrence seconded the motion.

The motion carried 6-0-0.

Submitted by Mary Mancini, Minute Recorder, on December 14, 2016.