

**1. Call to Order**

Chair Philbrook called the meeting to order at 6:00P.M.

Members present: Steve Lawrence, Member; Kelly Philbrook, Chair; Charlie Patten, Member; Bryan Bush, Member; Bruce Crawford, Vice Chair; Mark Alesse, Member and Planning Board Representative; Mark Drummond, Secretary

Staff Present: Scott Alessi, Harbormaster

**2. Pledge of Allegiance**

Chair Philbrook commented on the passing of Frank Frisbee and expressed the Board's sorrow.

**3. Agenda Amendments**

None.

**4. Minutes: September 7, 2017**

Line 66 - strike "of" and replace with "off"

Line 24 - add "he" between "said" and "Mr."

Line 145 - line to read "resident may not have known the time of the meeting"

Line 185 - strike one and changes included per use fee changes, changes to temporary mooring program.

Line 189 - should be "voted in and will go into effect"

Line 187 - insert "providers" at the end of the sentence

**Vice Chair Crawford moved to accept the September 7, 2017 Minutes as amended.  
Mr. Patten seconded the motion.**

**The motion carried 6-0-1**

**5. Harbormaster's Report and Budget Report**

Revenues:

Launch fees for the month totaled \$294 and \$770 for transient moorings.

Expenses:

- Dock maintenance was in the amount of \$700.

- Mr. Alessi reported he has received one proposal for paving for the Pepperrell Pier parking lot in the amount of \$18,500, which does not include the ramp. Mr. Alessi is waiting for two more estimates. He is planning to call the first estimate to get a separate price for the ramp.
- The commercial 6'x30' float is ready to be installed through December for commercial use.
- The Navy has given approval for no wake signs to be added for the two bridges.
- The float out date is October 18<sup>th</sup>. Mr. Alessi has met with Moores Crane to review the past procedures and he described their plan. He added Chair Philbrook has recommended numbering all floats in color which will help when putting them back in the Spring. Float out will have a signaler provided for \$85 per hour. There were six volunteers last year and the Chair would like to have that many this year. Volunteers should show up at 8:00 a.m. and those who are interested in volunteering please contact the Harbormaster directly. Discussion ensued of requiring signed waivers for volunteers. This year all floats will be broken down which will save time. Mr. Alessi is planning to change out the hardware of the floats during the winter.

**6. All Items involving the town attorney, town engineers, town employees or other town consultants or requested officials.**

None.

**7. Public Hearing**

None.

**8. Piers, Wharves & Floats**

- a. The Kittery Port Authority moves to review and accept an application from Kevin & Theresa McCoy, 24 Goose Point Road, Kittery Point ME 03905 for the construction of a 6'x10' ramp, 6'x8' stairway, 6'x55' fixed pier, 3'x40' ramp, a 12'x24' float and a float haul out. Agent is Atlantic Environmental LLC, Woolwich Maine.

Lisa Vickers, from Atlantic Environmental LLC, explained the condition of the current dock which was pieced together, is too small and floods at high tide. She described the plan and the support system for the pier which will have pilings pinned to ledge and helix anchors that will go into the mud flats. She further explained the proposed pier will be a little further out because of the mudflat decline. The float will be supported with helix anchors. Access stairs will be added to the pier. There will be a float haul out system added for the seasonal haul out and the float will be stored upland. Batter piles will be placed as well for extra security and she

also explained the proposed pier's elevation. Ms. Vickers stated the Planning Board has signed off on this. She described the helix anchor system and the installation process.

Chair Philbrook commented the packet was put together very well and was complete.

A site walk was scheduled for October 17<sup>th</sup> at 4:00 p.m.

**Mr. Lawrence moved to accept application and schedule a site walk for October 17, 2017 for Kevin & Theresa McCoy, 24 Goose Point Road, Kittery Point, Maine 03905 for the construction of a 6'x10' ramp, 6'x8' stairway, 6'x55' fixed pier, 3'x40' ramp, a 12'x24' float and a float haul out system and schedule a public hearing for November 2, 2017. Mr. Drummond seconded the motion.**

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

## **9. Public Segment**

The Chair opened the public segment.

Milton Hall pointed out the lack of map and lot information on the agenda. He feels it should be there. He pointed out the Town Council is on their side now and that may change in the future. He commented on the KPA placing money in the town pier CIP and he reviewed the State Statute regarding maintenance or reconstruction of a pier. He pointed out the KPA should not be obligated to pay for the construction of a pier. He reviewed information on the boundaries for title waters and added the Corps of Engineers rules and regulations water line is used and not water mark. Mr. Hall also commented on the recent KPA workshop and explained the KPA rules contain definitions of boats, barges and scows. He thanked Frank Frisbee and commented he did a lot for the town.

Chair Philbrook responded to Mr. Hall's comments. She will try to get lot and map numbers from now on. They chose to go with water mark instead of water line and she does not want to reprint but will think about it.

There being no further comment, the Chair closed the public segment.

## **10. Unfinished Business**

- a. Update on paving Pepperrell Cove

The Harbormaster covered this item in his report.

**b. Traip Boat Ramp Repairs**

During a visit to the boat ramp, Chair Philbrook discovered the four spare concrete pads for the ramp. They will only give an additional 15 inches. To extend with concrete, they would need 8 to 12 pieces. Mr. Alessi stated the cost is \$365 a piece. The cost to purchase 8 to 12 would be approximately \$3,200. Chair Philbrook stated they may need to wait for CIP for funds. She and Mr. Alessi will be going over CIP with the Town Manager.

Assistant Harbormaster, Alan Breton, came to the podium and described the damaged area. He stated it will need to first be leveled to place additional pads. Chair Philbrook suggested watching the tides at low and high to see where the water is at the ramp. She suggested adding a painted line to show where the ramp ends. Discussion of using fill ensued. Board members will discuss this further at the next meeting. Repairs would not be made until the spring. Chair Philbrook will reach out to the DEP to find out what the restrictions would be to fix the ramp. Mr. Alessi asked it is possible to lengthen the ramp on the other end. The Chair replied there is an issue with the proximity to the water.

**c. No Wake buoys**

Mr. Alessi has contacted a business in New Hampshire regarding purchasing buoys and he believes they need 14. He will report back to the Board when he has more information. Chair Philbrook explained they are looking to get larger buoys and larger weights. The Chair will be putting together a CIP package to get better control of the wake situation.

**11. New Business**

**\* Temporary Mooring Program Changes**

Chair Philbrook has received feedback from Board members of temporary mooring program changes. The mooring holder will have the responsibility for servicing their mooring. She explained a holding fee of \$150 would be dropped and the temporary mooring holder would pay a per foot fee. In the Army Corps of Engineers Rules and Regulations, it stipulates all pay the same. She proposed the \$150 fee be charged as an administrative fee to the person getting the temporary mooring. Moorings are to be serviced with documentation before placing it in the temporary mooring program. The person receiving the mooring will pay the \$150 fee plus \$6 per foot. The Board was in consensus to have another workshop.

**\* Qualified Mooring Inspector**

Chair Philbrook reviewed her added definition of a qualified mooring inspector including additional language of the requirement to register with the Harbormaster. Mr. Bush expressed his concern in making sure OSHA standards are in place for divers because the Town is

assuming a liability and would be named an additional insured. Mr. Lawrence suggested changing qualified to registered. The Chair has reach out to other communities and they require a qualified inspector. Chair Philbrook added the importance of tracking the service of a mooring. After further discussion, the Board decided to continue discussion at a workshop.

**\* Pier Use Permit Changes**

The Board reviewed the changes added to the pier use permit. Chair Philbrook feels the purpose of the KPA is to promote water activities and to protect the facilities and keep them in good condition. She described what she has seen over the years with commercial and industrial use. She is proposing industrial and commercial should be prohibited from all facilities. Mr. Bush brought up island residents pay taxes for Kittery properties and questioned how they are to be serviced. Chair Philbrook replied the commercial vessel permit allows commercial use for items to be manually manipulated such as windows and lumber. She added an additional change is requiring a commercial boat haulers fee staging permit. She would like a decision made and expressed they need to support the Harbormaster and those that use the pier. Mr. Lawrence pointed out the staging permit issue has been looked at for four years and he has spoken with commercial boat haulers and they are fine with it. The Board was in consensus to have another workshop on October 17, 2017 immediately after the site walk at 4:45 p.m.

**12. Committee and Other Reports**

**a. Communications from the Chairperson**

The Chair received communication from Gunnar Ek regarding winterizing the town moorings. The cost for each mooring is \$175 but if all six are done at same time the cost would be \$155 apiece. This was approved last year and this year there will be eight moorings. Mr. Ek will also service the channel markers for a cost of \$95 each. The fee includes inspection and putting them back. The total cost for the moorings would be \$1,240 for the moorings and \$170 for the markers for a total of \$1,525 is the total cost.

**Mr. Lawrence moved to accept bid of \$1,525 from Gunnar Ek to service eight moorings and the channel markers.**

**Vice Chair Crawford seconded the motion.**

Discussion of acquiring other bids. Mr. Lawrence pointed out since they have discussed cost, would not be fair to Mr. Ek.

**The motion carried 6-0-1.**

b. Committee Reports

\* Government Street Wharf Updates

Vice Chair Crawford reported he did measurements to be used for sketches that will be add to the grant application. He has also given the Chair support letters to be distributed to fisherman. Chair Philbrook stated she printed out copies of the letters and will get signatures. She is also considering using Face Book to notify people. Discussion of determining the materials for pilings ensued. This will be brought up during the bid process and will include options for different materials. Discussion of hiring an engineer ensued. The cost to hire an engineer would be approximately \$50,000 to design and build it out. The Chair would like to have an estimate of the cost for using in-kind materials versus other material options including the life expectancy of each.

**13. Board Member Discussion**

Steve Lawrence - none.

Mark Drummond - none,

Bryan Bush -would like a workshop.

Bruce Crawford - commented when he was measuring the wharf, there was a boat unloading lobster and he wondered who would pay to use the wharf. The Harbormaster replied the lobsterman would pay.

Charlie Patten - none.

Mark Alesse - the fence between the driveway at Pepperrell Pier and one of the Pepperrell houses has a pipe sticking out and he is concerned it will be hit. The Harbormaster will follow up.

**14. Adjournment**

**Mr. Lawrence moved to adjourn the meeting at 7:20 p.m.**

**Mr. Alesse seconded the motion.**

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