

PORT AUTHORITY MEETING  
STAR THEATER KITTERY COMMUNITY CENTER

APPROVED  
August 6, 2020

1. Call to Order

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

Members present: Vice Chair Charles Patten, Bryan Bush, Steve Lawrence, John McCollett, Niles Pinkham, Alan Johnston. Members absent: Chair Kelly Philbrook.

2. Pledge of Allegiance

3. Agenda Amendments and Adoption

Item a. in Public Hearings was withdrawn.

Item c. in Public Hearings "to an already existing pier" was added to the end of the sentence.

Item b. in New Business - verbiage was changed due to an agreement made between Martha Ladd at 5 Mill Pond Rd. and the abutters at 7 Mill Pond Rd.

Vice Chair Patten cast one vote for the agenda as amended.

4. Acceptance of Previous Minutes

June 4, 2020 was approved as written.

June 18, 2020 was approved as written.

July 8, 2020 was approved as written.

5. Harbormaster Report and Budget Report

1. The bathroom at Pepperrell Cove remains closed, but the Harbormaster is exploring options that meet COVID-19 requirements to be able to open it.

2. "No Fishing" is still in place on all Town facilities due to COVID-19.

3. The Harbormaster stated that he continues to make a conscious effort to patrol the back channel and Badgers Island to stop wake violators.

4. No wake buoy mooring blocks have been placed near Badgers Island and additional buoys will be placed in Spruce Creek. Piscataqua Marina (fka. Badgers Island East) has requested permission to locate a no wake buoy near their facility. The Harbormaster provided the necessary letter of support to USCG for approval. KPYY has placed two no wake buoys in the back channel.

5. The Town's Conservation Commission is having a 24" x 36" sign produced that depicts marine life for display at Pepperrell Cove. The Harbormaster approved the design and is awaiting its completion.

6. A proposal for a boat to replace the current Carolina Skiff has been accepted. A 15-foot Maritime Skiff has been ordered with a 60 hp Suzuki outboard. The Harbormaster hopes to have the boat by 9/1/20.

7. On 7/8/20 an alarm was heard going off in the Pepperrell Cove mooring field. The Harbormaster responded and found it was on the Stephanie Lynn. John Waldron was contacted and the Harbormaster took him out. Mr. Waldron found it was related to his shift and it was silenced.
8. On 7/8/20 a list of all uninspected moorings was sent to the respective divers. Follow up will occur this week.
9. On 7/12/20, the Harbormaster responded to a complaint of suspicious activity on Bowen Rd. The Harbormaster made contact and found that a subject was installing an outhaul in front of a residence. The individual who was installing it did not own the property and was told to remove it.
10. On 7/13/20 the Harbormaster responded to notification that 2 small sailboats had tipped over in Chauncey Creek during heavy winds. The Harbormaster responded and righted them.
11. On 7/23/20, the Assistant Harbormaster took two Kittery Assessors and the Assistant Code Enforcement Officer out to Appledore Island. They were able to inspect the properties.
12. On 7/25/20 at approximately 9:00pm, the Harbormaster was notified that a sailboat had tied up to the Frisbee Wharf restaurant dock and the tide had gone out and the boat bottomed out. The Harbormaster responded and found the vessel leaning into the dock and secured sufficiently to await the incoming tide. The vessel moved out on the early morning tide.
13. KPA member Alan Johnston built a box on the HM 21' to secure the pump, hoses and extra gas cans.
14. On 7/28/20 the Harbormaster responded to the area of the Sarah Long Bridge to assist the KPD with a report of an individual on the bridge walking on the guardrail. The individual jumped off the roadway level onto the train level. At that time, the KPD did not know if the subject jumped into the water, so the Harbormaster launched the boat. It was found that the subject landed on the train level and left the bridge on their own and was questioned by the KPD.
15. A floating 30' log was reported in the Piscataqua River by the "Calculated Risk". The Harbormaster responded and towed the log into Pepperrell Cove.
16. As of 8/5/20:  
472 moorings have been paid.  
5 unpaid revocation notices will be sent to the 5 delinquent mooring holders on 8/7/20.  
As of 7/7/20, there have been 123 season launch passes sold.
6. All Items involving Town Officials or invited guests - None
7. Public Hearing
  - a. The Kittery Port Authority moves to continue a public hearing from the May 7, 2020 KPA meeting on an application from Shelly Tamis, 14 Goose Point, Kittery Point, ME 03905 (Map 34, Lot 14) for a seasonal 4'x 16' dock. **Application Withdrawn.**
  - b. The Kittery Port Authority moves to hold a public hearing on an application from Christine and Judson Ludeking, 32 Mendum Ave, Kittery, ME 03904 (Map 3, Lot 50) to replace an existing fixed pier, ramp and float with a 4'x 129' fixed pier, 3'x 40' gangway, and a 10'x 20' float secured by pilings. Agent is Zachary Taylor, Riverside and Pickering.

Zachary Taylor stated that he sent a supplement plan to Chair Philbrook showing the dock in relation to the moorings.

Vice Chair Patten stated that before proceeding with the Public Hearing, the board needed to waive the 4.7.3, 100' maximum length allowed in the rules and regulations. The original plans were for a new 4' x 80' pier, a 3' x 36' ramp, and a 10' x 20' float. to a 129'.

Moved by Mr. Johnston, seconded by Mr. Bush.

Motion Carried 6-0-0

Mr. Lawrence stated that he had received a phone call from a resident on Mendum Ave. concerned about whether the pier would be turned into a commercial pier.

Zachary Taylor stated that the application was for residential access.

Vice Chair Patten asked Mr. Taylor if he would accept the minutes of the meeting as findings of fact. Mr. Taylor agreed.

Mr. Johnston moved the Kittery Port Authority moves to approve the application from Christine and Judson Ludeking, 32 Mendum Ave, Kittery, ME 03904 (Map 3, Lot 50) to replace an existing fixed pier, ramp and float with a 4'x 129' fixed pier, 3'x 40' gangway, and a 10'x 20' float secured by pilings, waiving the 4.7.3, in the rules and regulations restricting the fixed pier length to 100' with the minutes of the meeting accepted as finding of fact.

Seconded by Mr. Bush.

Motion Carried 6-0-0

c. The Kittery Port Authority moves to hold a public hearing on an application from Christopher and Laurie Barrett, 12 Goodwin Road, Kittery Point, ME 03905. (Map 58, Lot 15) to add 3'x 23' ramp and a 10'x 20' float to an already existing pier.

Mr. Barrett stated he had no further information.

Vice Chair Patten asked Mr. Barret if he would accept the minutes of the meeting as findings of fact. Mr. Barrett agreed.

Mr. Lawrence moved the Kittery Port Authority moves to approve an application from Christopher and Laurie Barrett, 12 Goodwin Road, Kittery Point, ME 03905. (Map 58, Lot 15) to add 3'x 23' ramp and a 10'x 20' float to an already existing pier, with the minutes of the meeting accepted as findings of fact.

Seconded by Mr. Pinkham.

Motion Carried 6-0-0

## 8. Piers, Wharves & Floats

a. The Kittery Port Authority moves to accept an application from Ruth Lawrence, 19 Pleasant Street Kittery, Maine 03904 (Map 4, Lot 35A), to add a 3'x 30' gangway to an existing structure for safety and ease of access. The only access currently is by ladder.

Due to the application being a family member, Mr. Lawrence abstained from the discussion.

Mr. Bush moved the Kittery Port Authority moves to accept the application from Ruth Lawrence, 19 Pleasant Street Kittery, Maine 03904 (Map 4, Lot 35A), to add a 3'x 30'gangway to an existing structure for safety and ease of access. The Port Authority wished to forgo the site walk, but will hold a Public Hearing at the 09/03/20 meeting.

Seconded by Mr. Johnston.

Mr. Lawrence abstained from voting.

Motion Carried 5-0-1

9. Public Segment (Three Mins.)

10. Unfinished Business

a. Future Planning list (Postponed until 9/20)

11. New Business

a. The Kittery Port Authority moves to reconsider the approval granted by the Port Authority on July 8, 2020, of a 4'x 80' pier, 3'x36' ramp, and a 10'x 20' float at 5 Mill Pond Road as requested by Heather Stokes and David Smith. (Postponed pending vote of 11b.)

b. The Kittery Port Authority moves to amend a previously approved application at the July 8, 2020 meeting from Martha Ladd, 5 Mill Pond Road, Kittery ME 03904 (Map 23, Lot 5) for a new 4' x 80' pier, a 3' x 36' ramp, and a 10' x 20' float, showing the pier, ramp, and float as shown on the original plan moved 5' in direction away from the abutter at 7 Mill Pond Rd.

No new site walk, public hearing, or approval will be required. Agent is Lisa Vickers, Atlantic Environmental.

Mr. Lawrence moved the Kittery Port Authority to amend a previously approved application at the July 8, 2020 meeting from Martha Ladd, 5 Mill Pond Road, Kittery ME 03904 (Map 23, Lot 5) for a new 4' x 80' pier, a 3' x 36' ramp, and a 10' x 20' float, showing the pier, ramp, and float as shown on the original plan moved 5' in direction away from the abutter at 7 Mill Pond Rd.

No new site walk, public hearing, or approval will be required.

Seconded by Mr. Bush

Motion Carried 6-0-0

12. Committee and Other Reports - None

a. Communications from the Chairperson - None

13. Board Member Issues or Comments

Mr. Bush – Mr. Bush asked if there was an update regarding when fishing would be allowed.

Mr. Johnston – Mr. Johnston asked the Harbormaster about citations for speeding boats.

Mr. McCollett – None

Mr. Lawrence – Mr. Lawrence asked the Harbormaster if there were any updates on the Government St. wash downs. The Harbormaster replied, that there were no updates. Mr. Lawrence also thanked the Harbormaster and the Assistant Harbormaster for chasing wakes in the back channel.

Mr. Pinkham – Mr. Pinkham also commented on speeding boats.

Vice Chair Patten - Vice Chair Patten commented to the Harbormaster his disappointment regarding the time and money spent installing chain plates on the Frisbee Float, since the chains still haven't been tightened to determine if the system was going to work.

14. Executive Session - NONE

15. Adjournment

Mr. Pinkham moved to adjourn at 6:48 p.m., seconded by Mr. Bush.

Motion Carried 6-0-0

Submitted by Kim Tackett

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.