

**Town of Chebeague Island  
Coastal Waters Commission  
Minutes of Meeting of June 4, 2009  
DRAFT**

Members present: Ken Hamilton, Wink Houghton, Jim Millinger, and Jeff Putnam  
Member absent: Paul Belesca  
Harbormaster Claire Ross was present  
Public present: Sue Campbell, Donna Damon, Cecil Amos Doughty

Chairman Putnam called the meeting to order at 6:03 PM. Jim Millinger volunteered to take minutes. After one spelling correction the minutes of May 7, 2009 were accepted (Ken/Wink).

Public Comment: Sue Campbell, speaking as the Town Clerk raised four questions concerning mooring fees that are making problems for her and Karen when dealing with the public. Would the CWC (1) please use a word other than “riprarian,” perhaps “shorefront property;” (2) resolve the differences in the ordinance between 5.22 and 5.43, i.e. a maximum of two moorings?; (3) when the CWC ordinance is revised in the fall, remove mooring fees (and tie-up fees) from the ordinance, and give them to the selectmen to change via warrant, and (4) describe more completely what a commercial mooring is. She also requested some clarification of what a rental mooring is and isn’t. She asked these questions to make it easier for the clerks to administer marine business.

Riprarian rights: Claire: Riprarian pertains to property fronting on a river. Property fronting on a bay is properly designated “shore front.” She said that state law gives owner of riprarian property the right to one (1) mooring. Sue: We also need clarification about whether or not there is a riprarian right for a third mooring and at what price. Cecil Amos: Another problem: the Indian Island Corporation is owned in shares. Do all those individuals have riprarian rights? Donna: If you own 100’ of shorefront property you get riprarian rights. Question: Can a mooring right be grandfathered? Claire: Owner must own both the land and the boat to get riprarian rights. Donna: When we re-write the ordinance we should state that it allows one or two boats per property rather than that the boat owner must be the property owner. Cecil Amos: Law of the State of Maine: You cannot grandfather a mooring or allow another family member to moor. Claire: Ref. 38 Sect. 3. Donna: We need a discussion of who raises fees (parking, landfill, tie-ups, etc.). Suggests that the CWC recommend fees to Selectmen by January 1<sup>st</sup> for the next year as is now done with parking and tie-ups at the Stone Wharf. Claire: Shellfish fees are run this way.

Floats: Cecil Amos: Need another float at Chandlers Cove for fishing punt tie-up. We don’t need two commercial floats at the Stone Wharf. Take one of them to Chandlers Cove to use as a punt tie-up float. Donna: Plan the placement of this float before Prock puts new pilings in. Cecil Amos: Do we need a fourth piling there or a granite block? If it is only for punts there wouldn’t be a great strain on it.

Harbormaster Report: Claire: Busy this month working with DMR to get the clam flats open. She and town officer clerks have streamlined mooring application process and report a dramatic decrease of office time required. Public comments have been favorable. Stone-wharf tie-up stickers are about the same number as last year. The Harbormaster's boat is in. She has advised a private party on how to get a USCG permit for a private navigational aid and has made her (favorable) report on it to the USCG. This will come before the CWC. She has also been working with the USCG on the potential private aid to navigation leading into the Stone Wharf channel. More large boats were observed tying up at the Chandlers Cove float although there were no high winds so no damage was done. She issued a warning to the vessels and attached a copy of the ordinance. June parking at the Stone Wharf is being handled by parking enforcement. The commercial floats have been moved c. six feet to the north to accommodate the new ramp. Memorial Day Weekend traffic to the Stone Wharf was light.

Comments: Donna: signage inconsistency at Stone Wharf: are those two floats fisherman's floats or commercial floats? Ordinance says "commercial." Sign says "Fisherman." Need to clarify and make sign follow ordinance. Wink asked about the private aids to navigation. Claire: I have made my examination and recommendation. It will come to the CWC and then your recommendation will go to the selectmen. Jeff: On heavy boats at Chandlers Cove floats: CMP boat lies alongside in the heaviest wind conditions. Better upkeep and pilings should solve the problem. Donna: Should CWC recommend a schedule of maintenance to the DPW? Jeff & Wink: That is DPW responsibility, not CWC's. Ken: Cliff Island floats are connected with chain rather than hinges. Less chance of breakage? A good idea for us?

Old Business: Jeff reported on actions of last night's Selectmen Meeting. One of our requests to the selectmen is being acted upon: Stone Wharf Golf Tee # 7 area. He met there with Scott Seaver, Tom Calder, Dave Campbell, and Prock's Steve Durrell. Steve estimated:

\$ 8 K	Chandlers Cove pilings
\$ 148 K	Stone Wharf resetting granite
<u>\$ 13 K</u>	Barge costs (mobilize and demobilize)
\$ 169 K	TOTAL

Plan 90% new granite at Stone Wharf. Will repair wall and pin it together. On June 3<sup>rd</sup> the selectmen decided to fund it. Ken: Will cove be dredged? Jeff: No. Wink: Any options other than Prock? Donna: Reed and Reed? Maybe we should put out a bid contract? The government wouldn't consider dredging the cove because there is no evidence that it has been dredged before. Claire: We have had a request that a 72' schooner be allowed to lay alongside the Stone Wharf. Answer: No. Recommended that they anchor off. Wink expressed a concern that out of town people were laying moorings in Chebeague's waters. Claire: Falmouth charges \$250 for that. Donna suggested setting a number of moorings for that purpose. Sue: We are seeing more and more requests for moorings from out of town. Claire: a Portland marina wanted to put one in here as a designated mooring for use of their clients. Donna: Do we need another category "non-resident commercial?"

CWC Maintenance Plan and Recommendations: We will pick this up after our site walk and discuss it at our next meeting.

Schedule and Plan Site Walk: June 8, 2009 at Chandlers Cove Landing at 4 p.m. We need to take a look at debris from the work on Butter's property. Concern expressed for recent land erosion. Claire: need education about not cutting trees and shrubs along the shore. Donna: Need enforcement.

New Business: Paul Belesca asked Jeff to bring this up: Paul and Scott want to fix their mother's pier. Didn't realize that they needed to go before Planning Board. It is on Planning Board agenda for June 18<sup>th</sup>. Question: When does CWC put in its opinion? Jim: A-12 p. 16. It can come before Planning Board but no Planning Board recommendation to selectmen until after CWC makes a written recommendation to Planning Board. Claire: Need to change Planning Board ordinance to make sure that it comes to CWC.

Next meeting: July 9, 2009 at 6 p.m.

Back to number and costs of moorings. Sue will charge \$25 - \$5 - \$5 this year and send money back to the few who paid \$25 - \$5 - \$20.

**Next meeting**: A CWC site walk on **Monday, June 8, at 4 p.m. at Chandlers Cove Pier**.

There being no further business the Chair adjourned the meeting at 8:04 p.m.

Respectfully submitted:

Jim Millinger

**NEXT REGULAR MEETING      July 9, 2009**