Town of Freeport, Maine

Coastal Waters Commission

Meeting Minutes

October 14, 2020

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| Participants:  Absent:  Guests: | Jeff Stenzel  Dayton Benway  Laurie Orlando  Peter Polovchik  Tod Yankee  Mark Morrissy  Amy Tchao – Town Attorney  Joe Frazer  Charlie Tetreau – Harbor Master  Peter Joseph – Town Manager  Peter Spencer  Harry Keates  Grechten Parker Iszard  Stephen Smith  Barney Baker  John Grillo  Katrina Van Dusen  Rob F  Henry B  GP  MJ  Joseph Field  Carter Becker  1 phone participant |

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| Coastal Waters Commission (the Commission) Meeting was called to order at 6:02 pm on October 14, 2020 via Zoom video conference.  Minutes from the September 2020 meeting were reviewed with no revisions proposed. Mr. Polovchik moved to approve the minutes, and Mr. Morrissy seconded the motion. All members of the Commission were in favor with none opposed.  **Harbormaster Report**  Mr. Tetreau was unable to attend the meeting and the harbormaster report will be presented at the November meeting.  **Wharfing Out Permit**  The Keates-Silverman application for Kelsey Brook with property address of 64 Lupine Lane is under consideration having been tabled from the Commission’s September 2020 meeting. The revised application requested during the September Commission meeting was sent to the Harbormaster on October 13, 2020 (yesterday) showing an amendment to the size of the ramp, length of float, and a survey showing the float within the property boundaries of the applicant. The Harbormaster is on vacation and the revised application was not shared with Commission members prior to this meeting.  Mr. Yankee suggests the application be tabled until a final copy has been delivered to all of the Commission members. Mr. Stenzel requests the Army Corps and DEP material used in prior applications be removed. Mr. Stenzel further requests the application be revised to comply with all pertinent ordinance requirements to allow the Commission to review and consider the merit of the application.  Mr. Yankee moves to table the application to the November meeting. Ms. Orlando seconds the motion. All Commission members are in favor with none opposed.  **Harraseeket Yacht Club (HYC) Hoist and Float Improvement Application**  Mr. Morrissy takes the chair for this issue after Mr. Stenzel recuses himself as he is a party to both the Commission and the HYC. Mr. Yankee and Mr. Frazer are similarly conflicted and recuse themselves.  The Commission has a sufficient quorum after the members have recused themselves.  Mr. Morrissy provides a brief reminder of proceedings from the September meeting related to this issue. The issue of the hoist and the float modifications were separated for consideration by the Commission.  Separately the Freeport Planning Board is also considering the hoist.  Mr. Morrissy introduces the letter that Nick Adams, Freeport Code Enforcement Officer, wrote to Commission members outlining how Freeport Code prevails in this matter. Mr. Adams has requested the State of Maine review the merits of this matter to provide further guidance. The State of Maine has not responded to Mr. Adams yet.  Mr. Barney Baker requests the Commission proceed with consideration of the portion of the application under the purview of the Commission. A member of the audience seconds Mr. Bakers request.  Given the State of Maine has not responded to Mr. Adams, and that Mr. Tetreau is not present Mr. Morrissy recommends the Commission table further consideration of the application to the November meeting. Mr. Morrissy explains that Mr. Tetreau’s significant knowledge and history with how the float system would impact moorings, and to proceed without him would be detrimental to the process.  Mr. Baker requests the Commission view a PowerPoint presentation about the moorings. Mr. Morrissy respectfully denies Mr. Baker’s request until Mr. Tetreau is present to participate.  Mr. Morrissy calls for further comments from the audience. After no additional commenters make themselves known Mr. Morrissy moves to table further discussion to the November meeting. Mr. Benway seconds the motion. All members of the Commission are in favor with none opposed.  Mr. Morrissy moves and Mr. Benway seconds to adjourn the meeting at 6:38 pm. |