Town of Freeport, Maine

Coastal Waters Commission

Meeting Minutes

January 13, 2021

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| Participants:  Absent:  Guests: | Jeff Stenzel  Dayton Benway  Laurie Orlando  Peter Polovchik  Mark Morrissy  Joe Frazer  Tod Yankee  Amy Tchao – Town Attorney  Charlie Tetreau – Harbor Master  Peter Joseph – Town Manager  Carter Becker  Barney Baker  Gretchen Iszard Parker  Ethan Parker  Betsy Hewitt  Kim Housewright  Susan Murphy  Tom Schwarm  Thornton Ring  2 phone callers |

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| Coastal Waters Commission (the Commission) Meeting was called to order at 6:01 pm on January 13, 2021 via Zoom video conference.  Minutes from the December 2020 meeting were reviewed with two minor typo revisions proposed. After making the revisions Mr. Morrissey moved to approve the minutes, and Ms. Orlando seconded the motion. All members of the Commission were in favor with none opposed.  **Harbormaster Report**  Mr. Tetreau shared the water front is very quiet. The mooring renewals have gone out, and 130 renewals have already been processed on-line. It appears there could be 4 moorings that will turn over this year. There are 124 individuals on the waitlist. Over 75% of the waitlist are residents.  A link to a map of the aquaculture sites in and around Freeport has been added to the Town website.  **Wharfing Out Permit**  Mr. Becker presents a permit on behalf of the Hewitt’s, 5 Shipwright Cove. The length of the wharf and float do not exceed 125 feet. The proposed structure will be located to the northeast of the property to minimize the impact on the natural surroundings. All abutters have been notified. There is 10 feet of the pier on the shore side that goes inland beyond the HAT meaning that 35’ of the pier extends out toward the HAT.  Mr. Yankee requests an overlay map of the wharfing out structure with the topography map be provided in the future.  Mr. Becker has spoken to the Housewrights and Mr. Tom Schwarm about the project. Discussions have involved obstructed views and characteristics of the project that might not be consistent with the surroundings.  Mr. Stenzel asks for community input. Ms. Susan Murphy is introduced and she presents the appeal she and Mr. Schwarm submitted on January 13, 2021. A map of the cove is shared showing similar wharfs in the area. This proposed wharf is shown to be of greater size than surrounding wharfs. Ms. Murphy also mentioned how shallow the high tide is in the cove which promotes good access to swimming and small boating. Ms. Murphy believes this wharf will push water traffic out towards the channel and into high traffic area. She also suggests the shallow high tide will leave a boat of any significant size sitting in the mud for large portions of every tide. Access is also available through other sources. Mr. Schwarm inquired with Brewers Marina and found that moorings could be rented this summer. Ms. Murphy requests the length of the pier and structure be reduced to be similar to those in the surrounding area, i.e. the Broderick dock which is several houses down the cove to the northeast.  Mr. Stenzel asks Mr. Becker why the Hewitt wharf is longer than the Broderick wharf. Mr. Becker shares the Broderick wharf was planned to be longer, but was reduced due to financial constraints. Mr. Becker reports other wharfs in the cove are both shorter and longer than the Hewitt wharf. The length of this wharf will optimize the access for boating in each tide, and making it longer than what is already proposed will gain the Hewitt’s no additional access.  Ms. Murphy asks if commercial clam digging will be impacted. Mr. Tetreau says any impact will be minimal.  Mr. Stenzel asks for further public comment. Mr. Schwarm is introduced, and echo’s the comments of Ms. Murphy. Mr. Schwarm reports he attempted to identify where the wharf will be placed, but given the information in the application he was largely unable to pinpoint the exact placement of the structure. He asks the wharf and dock be staked out to show exactly where it will sit. Mr. Schwarm goes on to show, through the pictures in the appeal, how the Broderick pier ends on the shore side of the eel grass and does not extend into the mudflats.  Mr. Stenzel suggests the pier and dock be staked out, and a site walk be performed on Saturday, January 30th at noon (at low tide) to see where the structure will sit. Mr. Becker agrees to stake the site out in advance of the site walk.  Mr. Stenzel welcomes the Housewright’s and they agree a site walk is a good plan. They share the concerns expressed by Ms. Murphy and Mr. Schwarm.  Mr. Frazer asks Mr. Becker if the elevation is negative 2 feet, how much tide will be lost if the pier is moved 10 feet back. Mr. Becker estimates 30-40 minutes of tide will be lost by shortening the wharf.  Mr. Yankee asks for comments and appeals to be shared with the entire CWC prior to the site walk. Mr. Joseph will post the document on CWC page of the Town website.  **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 reports there are no discussion points for this meeting. HYC is working with legal counsel and should be ready for the next meeting. Ms. Orlando moves to table the issue to the February meeting, and Mr. Polovchik seconds. All Commission Members are in favor with none opposed.  Ms. Orlando moves to adjourn, and Mr. Polovchik seconds. All Commission Members are in favor with none opposed.  The meeting adjourns at 6:57 pm. |