

COASTAL WATERS COMMISSION May 2022

Present: Mark Morrissey, Joseph Frazer, Jeff Stenzel, Todd Yankee, Dayton Benway, Peter Polovchik, Scott Gleeson, Charles Tetreau Harbormaster

Minutes approved with the addition of Scott Gleeson attending

Harbormaster Report: Dingy racks are up. Applicants need to get registered at town hall

Old Business:

78 Birch Point Rd

Six letters from abutters were received by harbormaster all approving of the project.

A site walk was completed by commission. Scott expressed concern about the size of the float re: the site where it would sit. At low tide it seems to disturb the opposing banks. On the site measurements were taken which seems to confirm this. This could be exacerbated by any movement of the float. Mr. Spencer states the way it is fixed would prevent this and the Manufacturer "guarantees" this. Mark expressed concerns that the float would work its way into the mud and damage the bank. Jeff stated the construction diagram was inadequate to show what happens when the float sits on the mud. Also, if a kayak was used it could not fit into the rivulet with the float. Scott suggested an independent assessment re: these issues. Mike Morris will be contacted.

The application was tabled pending that assessment.

34 Castle rd. Carter Becker

The application was reviewed. It met all the requirements of the ordinance. There were no questions. Laurie moved to approve. Approved unanimously.

24 Merganser Way Wharfing out permit

The application was reviewed. The commission felt it met all the requirements of the ordinance. There were no questions. Laurie moved to approve. Application approved unanimously.

The Town attorney Amy Chou presented a review of the Keates /Silverman 64 Lupine Way application. She distributed a handout summarizing this review which is an addendum to these minutes. It spelled out the conclusion of law. A motion was made to approve the memorandum conclusion of fact and law as written. Motion approved unanimously. A motion to deny the application was then unanimously passed.

Discussion about proposed regulations for moorings outside the mooring field

A draft of these regulations was sent to the council. During council discussions there was a lot of dissent and it was sent back to the commission for review. Mr. Tetreau gave a background. With the crush of moorings in harbor moorings are being placed outside the harbor field often without approval or knowledge of the harbormaster. A representative of the town from Winslow Park confirmed this situation. Just recently 7 unregistered moorings appeared off the dock there.

Representative from Bustins Island were present. They wanted to be sure that Bustins was not included in these regulations. Bustins has its own regulations. Mr. Tetreault agreed and believed this would be in the final draft.

Neighbors from Lower Flying Point Rd were present. They raised various complaints and revisions they wanted which have also been voiced by other Freeport residents.

They included:

Fees

Who inspects moorings?

Limitations of the number of moorings a waterfront homeowner with over 100' of frontage may have is unclear

What are the rights of home owners who do not live on the water but have right of way

Why aren't moorings grandfathered and why they cannot be passed on in a family

The regulations that the mooring must be used by a boat owned by the mooring holder

What is a "legal/authorized" mooring

The status of non Freeport waterfront property owners

It was decided we needed to identify what problems exist and then decide how to adjust these regulations and rewrite the proposed ordinance.