

**RIVERS AND COASTAL WATERS COMMISSION  
MEETING MINUTES  
JULY 23, 2014**

**Members Present:** Chairman Mark Worthing, Vice Chair Sue Stableford, Reginald Elwell, Bill Good, Tammy Gray, Helene Harrower, Fred Wigand, Mark Holbrook (Alternate), Douglas Niven (Alternate), and Suzan Wilson

**Members Absent:** Steve Walker

**Staff Present:** MRO, Dan Devereaux

A meeting of the Rivers and Coastal Waters Commission was held on Wednesday, July 23, 2014 at Town Hall, 85 Union Street, Council Chambers. Chair Mark Worthing called the meeting to order at 6:00 P.M.

**Minutes from June 25, 2014**

**MOTION BY BILL GOOD TO APPROVE THE MINUTES OF JUNE 25, 2014 AS AMENDED. SECONDED BY SUZAN WILSON, APPROVED UNANIMOUSLY.**

**Harbor Masters Report:** Dan Devereaux provided an overview of harbor activities and stated that “things are looking good”. Dan has not scheduled other trips, but will schedule some towards the end of August early September.

**Town Attorney Introductions:** Mark Worthing asked for clarification on how they determine what alternate gets to vote if one seat is available. Nancy McBrady stated that it is up to the discretion of the Chair as to which alternate attends / has voting capacity and noted that one alternate should not be voting more than the other.

In regards to Simpsons Point, Mark Holbrook, asked what it means to the Town in terms of liability since swimming has not been sanctioned for Simpsons Point. Nancy replied that the Parks and Recreation Department has the authority to authorize this. Suzan Wilson reviewed why Simpsons Point was closed as a boat launch and thus opened as swimming even though it is not permitted. Nancy replied that if there is no boat launching and swimming, the easiest solution would be to post signage; in the absence of the signage people may swim but it makes clear the Town’s position. Dan Devereaux asked about removal of this launch from the Recreation Ordinance and Nancy replied that it is possible but still suggested signage. Discussion between members on what would need to occur and if a seasonal boat launch operation were possible to still allow swimming. Nancy noted that the ordinance will need to be clear. Helene Harrower stated that her issue is still parking and there needs to be something done about that; Nancy agreed.

Douglas Niven asked if there was a way to restrict the size, type and noise of boats. Nancy replied that it is within the Towns authority to do that and pointed out that the Town does

have a noise ordinance. Mark Holbrook stated that he believed that State Law allows the use of air boats; Dan discussed the commercial conflicting law on air boats.

Mark Holbrook expressed his concern over mooring inspections: really worried that the field is not well established and that they may be setting an unreasonable standard. Nancy replied that she will research this further.

Suzan Wilson asked about the Harbormaster language and having the avenue of appeal be the RCWC instead of the Town Council. Nancy replied that she does not believe that it would be outside this Commission and thinks that perhaps appeals would first come to this Commission and then to the Town Council; Nancy will research this further.

Mark Holbrook asked how much they need to define a mooring. Nancy asked if what is listed does not provide enough detail for him and Mark replied that he does not feel that it is clearly stated. Nancy suggested possible language; Dan Devereaux replied that there is similar language in other sections of the ordinance that can be transposed here.

Sue Stableford asked about guest moorings and Nancy replied that per State Law, you can only have one mooring.

**Correspondence:** Mark Worthing, stated that an Ed Galvin had contacted him about using the Pineville (Barns Landing) landing for a boat ramp for shellfish harvesters and leaving Simpsons Point for recreational use; Mark has forwarded the email to members. Discussion between members on maintenance and what potential changes would need to be made.

### **1) Simpsons Point Recommendations**

-Powerboat Launching: Dan Devereaux reviewed some concerns and ideas that have been brought forth. Mark Holbrook stated that he would like to see it open to watercraft launching, year long, and for residents only, but would also like to see it open to swimming. Sue Stableford asked if they should review what was said at the public hearing, Mark Worthing replied that he was hoping that members had already thought about what was said last week and noted that all members were present. Mark would like to see Simpsons Point opened to submerged propeller motorized boats from October 1 until April 30th. Suzan Wilson replied that some compromise seemed to be what was wanted from both sides for the interim.

**MOTION BY FRED WIGAND TO RECOMMEND TO THE TOWN COUNCIL THAT THEY REQUEST FROM THE MAINE DEP TO ALLOW THE REOPENING OF THE SIMPSONS POINT BOAT RAMP TO BOATS WITH SUBMERGED PROPELLERS ON A SEASONAL BASIS FROM OCTOBER 1 UNTIL APRIL 30<sup>TH</sup> FOR THE FOLLOWING REASONS:**

1. Monitoring of the eel grass by MER Assessments Corporation has concluded in their November 2012 report that at Simpsons Point “the decline in eel grass is clearly unrelated to motor vessel traffic”.

2. Safety of shellfish harvesters to allow shorter transit to shellfish sites during the harshest seasons compared to travel from Mere Point boat launch
3. The public forum of Brunswick citizens of July 16, 2012 expressed willingness and need to share resources and compromise for safety of all

**SECONDED BY TAMMY GRAY, APPROVED UNANIMOUSLY.**

Sue Stableford stated that there were 5 citizens who spoke out against air boats.

Swimming Restrictions: Dan Devereaux noted that it is the Parks and Recreation Commission who really manages this issue and he believes that a recommendation will be going to the Town Council. Fred Wigand noted that as swimming continues to increase, there will be landowner issues. Mark Holbrook liked the idea that the Parks and Recreation Commission handle this issue. Sue Stableford asked if Barnes Landing should be looked at as well. Helene Harrower suggested that other sites be surveyed and see the traffic patterns at Mere Point boat launch. Bill Good agreed with Sue's suggestion that Tom Farrell come back to discuss other sites. Suzan Wilson agreed with Helene and noted that a citizen has come to her and suggested the same study. Dan to invite Tom Farrell back.

Other: Mark Wothing asked if they wanted to do anything about dogs. Sue Stableford replied that she had written a Thank-You note to Tom Farrell for putting the dog signage up so quickly. Helene Harrower pointed out that dogs were not an issue at the public hearing and is not sure that they should make this an issue.

**2) Harbor Ordinance**

-Draft Proposal Included: Suzan Wilson provided a history of the draft and how it came about. Suzan provided for members a collection of potential ideas that have been cleaned up and made into a skeleton of the draft to make it more useable. Dan suggested that members make hand edits and send them back to Dan.

-Establish Public Forum Date (Aug 14th, 2014 6pm)

**MOTION BY HELENE HARROWER TO HOLD A PUBLIC FORUM ON AUGUST 14, 2014. SECONDED BY BILL GOOD, APPROVED UNANIMOUSLY.**

Note: July 16 Public Forum, there were 19 people representing the public in the audience, not counting the 2 commission/town council members. 10 people from the public addressed the commission, including Daniel Fortin, who spoke from his seat.

**3) Zoning Ordinance Rewrite Public Draft Schedule:** Dan Devereaux stated that they have been invited to meet with the Director of Planning on August 12 at 6:00 in Council Chambers.

**4) New Business: No new business.**

**5) Old Business:** Dan Devereaux suggested that they think more about the Androscoggin River in regards to restrictions.

**Adjourn**

This meeting was adjourned at 8:01 P.M.

Attest

Tonya Jenusaitis  
Recording Secretary

**PLEASE NOTE: THESE MINUTES ARE ACTION MINUTES. THE ENTIRE MEETING CAN BE VIEWED AT [WWW.BRUNSWICKME.ORG](http://WWW.BRUNSWICKME.ORG).**