

RIVERS AND COASTAL WATERS COMMISSION

MEETING MINUTES

SEPTEMBER 24, 2014

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

Members Absent: Reginald Elwell and Mark Holbrook

Staff Present: MRO, Dan Devereaux; Town Attorney, Nancy McBrady

A meeting of the Rivers and Coastal Waters Commission was held on Wednesday, September 24, 2014 at Town Hall, 85 Union Street, Room 206. Chair Mark Worthing called the meeting to order at 6:00 P.M.

August 28, 2014 Meeting Minutes

MOTION BY BILL GOOD TO APPROVE THE MINUTES OF THE AUGUST 28, 2014 MEETING. SECONDED BY SUE STABLEFORD, APPROVED UNANIMOUSLY AMONG THOSE PRESENT.

Harbor Masters Report

Dan Devereaux reviewed the Harbor Masters Report as prepared and included in the packet.

Committee Member Correspondence

No member correspondence.

1) Harbor Ordinance (Review Attorney & Staff edits and additions)

(Chapter 11 Marine, Activities, Structures & Ways Article 1 Harbor, Coastal & Navigable Fresh Waters)

Town Attorney, Nancy McBrady reviewed the changes she prepared.

- Definitions Added: Haul off Mooring and Multi-Use Mooring. Note that Jurisdictional Use was crossed off due to comments during the public hearing. Discussion on Multi-Use Moring and the intent that there will be multiple boats during the season at this mooring; could imply that there is more than one owner. Dan Devereaux replied that during registration they plan on asking what boats will be at the moorings. Nancy to add

that only one watercraft at a time and a means to secure that vessel to the definition of multi-use mooring. Clarification on the definition of Harbor Master.

- Mooring, Section 11.4: Nancy McBrady reviewed how the registration process came to be and suggested that they change/clarify existing registration to “any mooring that has been installed and registered annual to the Town *since* April 14, 2005”. Helene Harrower suggested that they leave out an exact date. Discussion to revise this to add any mooring that has been subsequently register thereafter.

Discussion among members on changing the registration date. Decision to leave language date from January to May as is.

Dan Devereaux reviewed the Mooring Registration Form. Members decided to remove the word self from inspections in the ordinance; Suzanne Wilson noted that the intent is that they want the mooring inspected whether it be yourself or someone that is paid. Suzan Wilson suggested that in the case of associations, they list the number of moorings with a map on the locations of the moorings with the name of the owner; Nancy replied that she does not want to create a different classification. Doug Niven suggested that in the case of associations, they make a note in the ordinance to the effect that these are handled through the Harbor Master. Nancy replied that she wants to keep all registrations on the same page. Mark Worthing suggested that they define yacht club and homeowners association for future use.

- Ownership of Moorings: Nancy McBrady stated that the language in the State Statute is clear about transfers of moorings, but noted that the mooring can reestablished through the Town the following year to a family member. Joe Caruso, citizen, asked “what happens if there are more registrations then there are moorings”? Nancy replied that the statute shows that there are allocations and stated that Brunswick is in an awkward situation because they do not have a public mooring field. Sue Stableford said that some people have 4-5 moorings registered in their names and asked if the owners can let other people use them. Nancy replied that this is a good question.
- Clearer definition needed for what a wake means; Joe Caruso to forward a clearer definition to Dan Devereaux. Nancy McBrady stated that they either need a definition for anchorage or to remove it from the ordinance. Mark Worthing asked if the other Towns have different terminology to define their waters. Nancy replied that none go into the specificity of depth or from the shore; Nancy wants to avoid ambiguity if they remove anchorage.
- Appeals: Nancy McBrady reviewed the language and asked if they wanted to allow special meetings earlier then 30 days for an appeal. Suzan Wilson replied that she is comfortable with waiting the 30 days if the rest of the Commissioners are, she just wanted to raise this question. Doug Niven replied that he would rather see that they have the ability to call a special session if needed. Nancy to draft language.
- 11-6, Town Launch Facilities: Steve Walker asked if the language for Special Activities had been written yet and if not, that the language be drafted and a definition be written. Dan Devereaux to reach out to Tom Farrell, Director of Parks and Recreation to move this language forward.

2) Zoning Ordinance (comments and suggestions on the proposed changes that may affect the rivers and coastal waters of Brunswick): Mark Worthing reviewed the East Brunswick Zoning Ordinance Rewrite Committee public forum and said that there was apprehension over potential changes in the ordinance. Mark said that one change is in lot size from 2 acres to 4 acres. Steve Walker noted that this change is in subdivision. As it stands, if you have 20 acres, you could get 10 lots and with the change you could only get 5. Mark said that there were many safety features that would be less rigid. Steve reiterated that the biggest change would be if you subdivide. Dan Devereaux said that after the public forum, he suggested to Anna Breinich' Director of Planning and Development, that she provide a build out of what could be without these changes for people to see visually.

3) New Business: No new business.

4) Old Business: No old business.

Adjourn

This meeting was adjourned at 8:03 P.M.

Attest

Tonya D. Jenusaitis,

Recording Secretary

PLEASE NOTE: THESE MINUTES ARE ACTION MINUTES. THE ENTIRE MEETING CAN BE VIEWED AT WWW.BRUNSWICKME.ORG.