

TOWN OF CAPE ELIZABETH HARBORS COMMITTEE

Meeting Minutes
February 2, 2017

Present: Chair - James Casey (JC), Stephen Culver (SC), Susan Farady (SF), Caitlin Jordan (CJ), Katharine Ray (KR)

Absent: None

Staff: Stephen Harding, Town Engineer (SH)

Public: Ernie Tweedie (ET) Fisherman, Nate Perry (NP) Aquaculturalist, Gary Cummings (GC) Commercial Lobsterman/WET Team, Dan Harriman (DH) Fisherman, Madison Whately (MW) UNE Student, Frank Strout (FS) Fisherman – partial attendance

Welcome and Introductions: Council Chair Jamie Garmin (JG) welcomed the Harbor Committee Members and the public to the initial Harbors Committee meeting. Each Committee Member then introduced themselves with a brief background of their experience and interest in serving on the Committee. Public attendees then introduced themselves and noted their initial interests with the Harbors Committee. Concerns primarily focused on current and future access for recreational and commercial uses, more demand for commercial fishing space given the pressures placed on the Portland Harbor fishing operations, and future planning.

Freedom of Access Act (FOAA): JG then reviewed the Committee's responsibilities under the State of Maine's FOAA and Orientation Outline that was in the Committee packet. JG noted that Debra Lane, the Town Clerk, would be holding an orientation session for all Town Board and Committee Members on a yet to be determined future date. JG informed the Committee that Subcommittees could be formed with fewer members, but that each meeting needed to be open to the public and properly noticed beforehand. In response to a question, JG stated that posting on the Town's website is considered to be proper noticing.

Committee Charge: JG then read the Town Council's Charge document to the Harbors Committee which was also in the Committee's packet. He reviewed the Committee's role to research more in depth with more subject matter expertise than the Town Council would be able to do and then make recommendations to the Town Council. It was noted that the Harbors Committee is an advisory entity to the Council, but that the Council is the decision making body.

Citizen Correspondence: SH then read an October 21, 2016 letter on out-hauls from Dr. Martha Friberg. The Committee acknowledged receipt of the letter.

Committee Chair: The Committee then discussed the establishment of a Chair. SC moved and SF seconded that JC to be the Chair. The motion passed, 5-0. JG noted that some Boards have a Vice Chair, but since this group was relatively small perhaps

that would not be necessary. After discussion, the Committee decided that an Acting Chair would be agreed upon at a future meeting if the need arose.

Committee Discussion:

- Discussion then ensued regarding the out-haul issue with the Public and Committee Members commenting on various points regarding other jurisdictions beyond the Town likely having jurisdictional rules and policies regarding such items and that should the Town need an opinion on a particular location that perhaps the Harbormaster would be a resource.
- KR then suggested the Committee first focus on one of the Council's directives to review the Coastal Waters and Harbors Ordinance and recommend changes. It was noted that there is a past Harbors Committee Report that is on-line as a resource and that the Ordinance language should be added into next meeting's package.
- The Committee then discussed the access concerns. JG suggested that the Committee review the Ordinance to determine what is good, what is not good, and what should be changed and combine that with the Committee addressing access use. It was determined that the next meeting would include a discussion of what needs to happen with regards to these topics. The Committee decided to have their next meeting on February 21st.
- There was then a discussion about the Harbormaster and whether he could attend a meeting. CJ noted that it is a part-time position so he would not be obligated to attend. The Committee requested that SH reach out to him.
- In response to a question from JC, JG confirmed that mooring fees are put into the General Fund.

Citizen Opportunity for Public Comment on Items not on the Agenda:

- FS, who arrived after the meeting had begun, noted that the Comprehensive Plan is currently being updated and that waterfront access is a key part of the Comp Plan and urged the Committee to review the past Comprehensive Plan and suggested a review of the charges and goals. FS also reiterated that Portland fisherman are being pressured and that Cape Elizabeth may prove to be a place to move operations that are being challenged. He also noted that he belonged to the Cape Fisherman's Alliance and that he hoped that the Committee would use them as a resource for information.
- JC questioned the size of the Cape Elizabeth fleet which was estimated to be at 44 boats.
- GC noted that he is on the WET Team and that they have to go to either Pine Point or Bug Light in South Portland to launch at certain times of the day so access is a large issue for other groups beyond the fishermen.

Next Meeting: The next meeting will be held on February 21, 2017 at 6:15 P.M.

The meeting was adjourned at 8:00 P.M.

Respectfully Submitted,
Stephen D. Harding, P.E.