

**Harbor Committee
Bristol Town Hall
June 24, 2021**

Committee Members Present: Robert Ball, Troy Benner, David Caron, Steve Hope, Rick Poland, John Stolecki, and John Stotz

Also present: Jessica Westhaver, Jennifer Villeneuve (Town Council)

The meeting was called to order at 5:00pm.

Minutes.

On a motion by Poland and a second by Caron, the minutes of May 27th were approved unanimously.

Float Storage.

Jennifer Villeneuve, the Town's attorney, was present to discuss Hanna and Moxie Cove Landings and the language in the deeds for restrictions of use which prohibit commercial use. Villeneuve needed clarification on how the landings were currently being used as it was not clear in previous communications. The current activity was clarified as commercial float haulers are privately hired to remove floats from the water and store them using the Town Landings. The municipality is then charging the owners of the float a storage fee. Villeneuve also inquired as to if the float haulers were using Town property (landings) to perform repairs and maintenance to the stored floats, which the committee stated they did. The committee also clarified the Park's Department is charging the fee, of which Villeneuve stated legally the Parks Department is the Municipality so the collection of the funds is irrelevant and is considered "municipal revenue".

Stolecki shared this issue started because the floats are overcrowding the landings and it has become messy and there is no enforcement.

Villeneuve stated the consequence is different with each deed but gave her official opinion that the current use of float storage at both Hanna and Moxie Cove Landings is a commercial activity and is restricted by the deeds. Charging private individuals for storage is a commercial benefit. She also stated that if the Town were not charging for storage, it would be in violation of the use of public property for private benefit. Additionally, the float haulers are receiving a commercial gain because they have a place to store the floats. She will provide the Town with an official statement concerning the matter.

The committee asked Villeneuve if tying up commercial boats on the pier and floats in the water at Hanna Landing is also viewed the same. She stated no, the pier and floats are there for public use for this purpose. If your ordinance speaks to a time frame of leaving a boat on the float and/or residents vs non-residents, then you can enforce the ordinance, but if not, the pier/float is installed for public use in this manner.

The committee moved this conversation to an issue with the transition of the stored floats from land to water. There was a rush from the float haulers to remove the floats from the landings with

a deadline of June 15th. This prompted them to move the floats into the water and started storing them on private moorings, violating the Town's current ordinance. Additionally, there had been damage in the Lower Pemaquid River because a float was too large for a mooring it was stored on.

The committee and Villeneuve agreed an ordinance change would need to happen to address Hanna and Moxie Cove Landings as well as update any other landings as decided by the committee and the Select Board, and it may be appropriate to discuss each landing separately. The review of the ordinance would be a good opportunity to address floats, tie-ups, moorings, etc. Villeneuve reminded the committee the municipality needs to be good stewards of the property that is bestowed on them, and it needs to be available for public recreational use for everyone.

Harbormaster Reports.

Round Pound. Ball stated a dispute in Muscongus Harbor over an unregistered mooring came up between a property owner who use to lease their pier and fish house to another individual. The lease agreement was terminated due to a lack of insurance coverage. When the lease was terminated, the lessees did not come to remove their mooring. Since then, the landowner has hooked up their float to the mooring to anchor it. Because this was an unregistered mooring, there is no proof of ownership and it is a private matter at this point. Ball has transferred a few moorings to new owners. One guest was on a mooring and was caught up in a lobster trap rope. He wanted the town to pay for the diver who came to untangle him, but it was stated the Town could not do that for him.

New Harbor. Hope stated harbors are very busy. A new speed boat was moored near a lobster boat, of which the speed boat owner requested the lobster boat be moved due to space. Hope stated this would not happen.

Pemaquid. Stolecki reported Ball is sending new mooring applications to him, but the Lower River is now full. Areas are starting to fill up faster each year. UPR 116 was listed for rent/sale on Facebook marketplace. The mooring is made for a small 19' boat. Stolecki stated he could call the owner of the mooring to discuss the ordinance and see if the owner still wants to retain the mooring. Stotz made a motion to accept Stolecki's suggestion, Caron seconded, and all approved unanimously.

Mooring Permits.

The committee discussed new mooring permits and not accepting any payments until a mooring was set and a boat determined. They also discussed possibly charging a wait list fee for moorings. Currently the lists are long and individuals on the list may no longer be interested.

There was discussion about requiring more information on the mooring permits from the contractors who inspect the moorings with their name and possibly having them sign off on inspections on the application. They currently need to be adding latitude and longitude to the permit as well. The committee discussed that it may be time to start discussing moving to an electronic system making it easier for contractors to share information with the Town when inspecting moorings, especially with all the information required. As the Town continues to

grow, the ability to keep up with new requests and applications cannot wait on the process of a piece of paper going from hand to hand and paper systems are not really working.

Landings.

The committee discussed the hiring of Frank Bedell to take pictures with a drone of all the Town's mooring fields. Stolecki shared with him that he would need to provide liability and worker's comp insurance as well as an FAA license for drone operation prior to the work. Frank will be invited to the July meeting to further discuss.

All landings need to be reviewed for signage indicating the property is a public landing and what use each landing allows or prohibits. Stolecki spoke with Lara Decker, Parks Director, on ordering signs as the Parks Department recently replaced many of their signs. She was going to share the contact information and help order what they needed.

Miscellaneous.

An issue had been shared where people would sleep on their moored boat and have their skiff trailing behind, which made the drift behind the boat longer and skiffs were hitting other boats. This should be discussed with any ordinance updates.

Respectfully Submitted

Jessica Westhaver
Staff Liaison