

June 3, 2010

The regular monthly meeting of the Oxford Board of Port Wardens was called to order by the chairman, Thomas Campbell, on Thursday, June 3, 2010, at 7:00 p.m., in the meeting room of the Oxford Community Services Building.

Other board members in attendance were Stanley Bright and Larry Murray.

The minutes of the meeting of May 6, 2010 were approved and accepted as distributed.

The following permit was reviewed by the board:

Permit #10-01 - Thomas Stanley, property owner of 212 S. Morris Street, request to drive one piling against existing bulkhead, mount single boat boatlift, and replace walk boards as necessary. It was explained that the new piling would sister an existing piling and would be more central. Mr. Campbell read aloud a letter from Catherine Coffield, resident of 210 S. Morris Street and neighbor to Mr. Stanley, who wrote that she had no objections to the request. Mr. Campbell noted that he did not think there was a need for Mr. Stanley to pursue any other permits. The only reason he needed to file an application with Oxford was because a boat lift was involved and the surrounding neighbors should be informed of such in order to take action, if they wanted to do so. After some brief discussion, Mr. Murray moved to approve the permit as requested. Mr. Bright added that it might be good for the record to show that there is a pre-existing arrangement with the design to replace essentially a sheet of the same utility and a previous davit that was already there. Mr. Bright then seconded the motion which was unanimously carried without further discussion.

The board met in consultation with Wade Fuller and Mark Hill from Bailey Marine to discuss Mr. Fuller's pier at 102 Sinclair Street which is deteriorating. Mr. Fuller noted that he had spoken to Mr. Hill some time ago and had gotten a quote to do the pier work which would also include adding one more piling. However, Mr. Fuller chose not to do the pier at that time. Prior to that, Mr. Fuller had received permission from the Board of Port Wardens in 2006 to construct and backfill 75' of replacement bulkhead but that permit did not mention anything about the pier. Mr. Fuller asked what his rights were as far as replacing his pier, specifically, would he need an application. Mr. Hill questioned if the board would call this repair maintenance even though Mr. Fuller would be repairing what is existing because he was thinking of widening the pier from 4' to 5'. Mr. Campbell found in the minutes of September 7, 2006 where the board discussed Mr. Fuller's application and noted that Mr. Fuller had withdrawn from his application plans for the pier because of design changes. Mr. Campbell questioned whether a replacement in kind would fall under maintenance and repair. Mr. Murray thought that it would. Mr. Bright agreed as long as Mr. Fuller did not widen the pier and repaired it in kind. Mr. Hill stated that they could replace it in kind, but understood if Mr. Fuller went to widen the pier they would have to get permits from the MDE as well as the town. Mr. Murray made a motion that as long as the pier goes back in at the existing width it could be regarded as repair and maintenance. Mr. Bright seconded the motion. Mr. Campbell asked that Mr. Hill and/or Mr. Fuller make sure they notify the town before they begin construction of this project. He added that the board was not actually approving anything because they did not have a permit in hand. He added that

this was more of a discussion and that they would still need to fill out an application and apply to the town for repairs and maintenance.

Mr. Campbell mentioned that the board was still waiting to hear from Attorney David Thompson with regards to liveboards.

Local maritime property owner, John Shannahan, arrived late to the meeting and asked if he could discuss with the board his plans to change the slip layout at his property at 317 S. Morris Street. He explained that the railway on his property had not served much of a purpose for the last few years. His thoughts were to move his finger piers over and to create a turning basin. Mr. Shannahan presented to the board members a plat of his property in which he drew in the harbor line and federal line. On his plat he also showed the south dock extended so that it would intersect the harbor line. By taking out the railway, it would create more room to operate and in the same process he would bulkhead the area in which the railway was located. Mr. Shannahan noted that he realized the board did not have the authority to grant such an application but he needed to start somewhere. He added that his new plans come closer to meeting the Maryland Department of the Environment guidelines. Mr. Bright asked if the new construction would come outside the harbor line on this plan. Mr. Shannahan responded that it would. Mr. Campbell stated that the best way for Mr. Shannahan to handle this situation, having been through a similar situation himself, was to have a drawing of the existing basin, the existing piers, and do an overlay over top of his existing situation and then others can easily see what is existing and what is being taken away. He added that it needed to be done on a scaled drawing. Mr. Shannahan responded that what he was showing the board was pretty accurate and that he had been to the state and Corps of Engineers and that neither agency had a problem with what he wanted to do. Mr. Campbell added that it seemed like Mr. Shannahan had an interesting concept but he needed generic forms filed and proper drawings of the existing facility with an overlay of his plan in a good way that explains what he wants to do and that the same thing would be necessary when filing an application with the Town of Oxford. Mr. Murray added that he could not believe the Army Corp would not have a problem with what Mr. Shannahan was requesting with regards to an extension. He added that the Army Corps is very strict. Mr. Shannahan felt there was no sense in spending money on an application until the town comes to a decision because he did not want to go to a lot of expense. Mr. Campbell again informed Mr. Shannahan that he would need engineered drawings of the existing yard and his plan showing the harbor line in order to apply for an application with the Town of Oxford. He added that the town's permits are subject to approval by the MDE and Army Corps of Engineers. Mr. Campbell further explained that if Mr. Shannahan were to submit his application to the corps and MDE, they would review it and will discuss the items of concern on it, and help Mr. Shannahan walk his way through it. Mr. Shannahan countered that his experience with the town was that one does not spend any money until one finds out what the town is going to allow. Mr. Murray supported Mr. Campbell's suggestions but added that if Mr. Shannahan were to come back with a drawing the way Mr. Campbell explained, the Port Wardens could make a recommendation or give Mr. Shannahan their opinion on the matter. Mr. Campbell agreed stating that if Mr. Shannahan would fill out an application, the board could definitely give him an

opinion and let him know if he could get it or not, but again, he would have to come in with the proper drawings and apply for a permit. Mr. Shannahan responded by stating that the last time he met with this board they told him to bring in a drawing and what he had brought in this evening was a drawing. Mr. Campbell noted that what Mr. Shannahan was showing them was an interesting concept but that without a lot of information the board was not able to make a whole lot of comments. He explained that the Board of Port Wardens would have to deny the application, no matter what, because Mr. Shannahan wants to make some adjustments over the harbor line. All the Board of Port Wardens can do is to make a recommendation to the Commissioners and they will have the ultimate say on this because it involves the harbor line. He added that the more information that Mr. Shannahan provided, the better, and that what he was showing at this night's meeting was not good enough. Again, it was reiterated to Mr. Shannahan that he needed to provide an engineered survey of the property and the docks and that the proposed changes could be done as an overly. Mr. Shannahan questioned where it said he had to provide a survey with a seal on it. Mr. Campbell responded it is in the Oxford Zoning Ordinance that the Board of Port Wardens follows the ordinance. Mr. Campbell also added that if Mr. Shannahan were to look at the ordinances and comprehensive plan, everything supports the maritime industry but one needs to present what they want to do properly. Mr. Shannahan noted that he had been advised by his attorney to get the MDE and corps permits first and then battle it out with the Commissioners. Mr. Campbell responded that this was not a battle and that if the MDE and corps support his project it would be in his favor. Mr. Campbell added that the town is trying to work with commercial/maritime industries and serve the boatyards so those are factors that would be in Mr. Shannahan's favor. The discussion ended with Mr. Campbell stating that until an application is applied for and proper drawings submitted the board would not be able to comment on what Mr. Shannahan wants to do.

NEW BUSINESS

Mr. Campbell announced that the Commissioners want the board to look at the harbor management plan and incorporate Article 4. The Commissioners would like the board to go ahead and make this a part of the harbor management ordinance with the idea they would have mooring guidelines for the existing annexed waters around Oxford. It would not govern proposed annexation at this point. The Commissioners have asked the board to review these with any change the board might have. Mr. Campbell stated that he liked the idea with full blown regulations but that it was probably not necessary right now. It was agreed that each members would work on this at home and send or drop their ideas off to Mr. Campbell or Mr. Murray and that Mr. Murray would put together the final revision.

There being no further business, the meeting was adjourned.

Respectfully submitted,

Lisa Willoughby
Assistant Clerk

