

# HENRY POINT WORKING WATERFRONT PROJECT

## COMBINED COMMITTEE MEETING

### WORKING WATERFRONT ACCESS COMMITTEE; HARBOR COMMITTEE

**July 17, 2024**

## MINUTES

### Attendance:

- **Working Waterfront Access Committee** - Ira Kelley, Chairman; Kraig Church, Patrick Kelley, Anson Kelley
- **Harbor Committee** – John Church, Harbor Master; Harry Fish, Diane Smith, Jason Alley
- **Guests/Other** - Kathy Killian, Grants/Planning Assistant; James Jutras, SCEC; Paul Monyok, Haley Ward; Johanna Szillery, Haley Ward; Cynthia Beauvais; public

**Minutes of June 20, 2024:** Draft minutes had been distributed by e-mail and were reviewed at the meeting. Motion made to approve the minutes as written. Seconded and approved.

### Haley Ward Update:

- **Environmental Review (required for release of HUD funds)** - Ms. Szillery has been reviewing the HUD Grant specifics related to the Environmental Review and wanted to confirm that the grant is for the road only, which is correct. She will speak with Julia Perry, but she believes there does not need to be coordination with NOAA on endangered “in the water” species as the road construction will not take place in the water. Completion timeline for the review may be shorter if consultation with NOAA is not required at this time. A Phase One Environmental Site Assessment is expected to be underway the week of July 22<sup>nd</sup>. (Phase One refers to the type of environmental site assessment, not our project phase).
- **Permit Applications** – Revised updated Permit Application drafts (ACOE, Maine DEP, ME DEP Permit By Rule Notification, and ME DEP Permit by Rule Stormwater Notification) were received from Paul Monyok just before the meeting and will be reviewed by Ira Kelley, John Church, and Kathy Killian. Feedback and questions will be sent back to Paul. On the ACOE Application, (box 13) Name of Waterbody states ‘Sawyer Cove-Alley Bay-Gulf of Maine and the committee suggested removing Alley Bay and adding Moosabec Reach (as appears on the navigational chart). The timing of permit approvals were questioned, and Mr. Monyok indicated that is hard to quantify expected turn-around time for ACOE and ME DEP but it is helpful that representatives from both

agencies have been to the site and are familiar with the project. Permit By Rule Notifications have a 2-week period for review. If we have not heard from them within 2 weeks of submission, the work is considered approved.

- **Contract to move forward with Construction Ready Plans** – Draft proposal to take the plans from permitting plans (60% level) to construction document plans (90% level) and manage bid process by preparing bid documents, managing the bidding and post bidding negotiations and contract signing including stakeholder meetings was received minutes prior to the meeting. The draft proposal will be reviewed and questions from the committee will be forwarded to Haley Ward.
- **Bidding Process for Construction** – The bidding process for construction is outlined in the draft proposal mentioned above. The committee reiterated the goal to ‘break ground’ on construction before the end of the year.

**Coleman/Aiston Status:** Upon receipt and review of the attorney-prepared deed, Mr. and Mrs. Coleman have additional questions. Ira Kelley and John Church will contact Mr. Coleman for a telephone conference as soon as possible. Response to Aiston family comments and concerns will be taken care of once the Coleman questions are taken care of.

#### **Grant Updates:**

- **Representative Jared Golden Request** – Henry Point Working Waterfront has passed the first couple of hurdles in the funding process. More information on whether our project will be awarded funds for the parking lot and launch ramp is expected after the end of the year.
- **Harbor Management and Access Grant (5/10/2024)** – Our project was not awarded funds that were applied for in this round. We were awarded a grant for launch ramp site preparation (\$15,000) in a prior funding round which we have not spent. The unspent grant expires 12/31/2024.
- **FY 2025 Coastal Community Grant.Shore and Harbor Planning Grant Programs** – We have been awarded a \$50,000 grant for continued project planning. A contract will be prepared when we have answers and are able to finalize the draft proposal received July 17, 2024 from Haley Ward.
- **FY2023 Community Project Funding (HUD – EDI/CPF)** – Jutras and Killian have reviewed and corrected the required HUD paperwork and the packet has been submitted for HUD’s review. HUD will respond with either a list of deficiencies (which we will correct) or notification of the next steps we will need to take for release of the road construction funds. If the entire amount of \$1,500,000 is not used for the road construction, a request will be made to the grantor for any remaining funds to be used elsewhere within the project.
- **DMR Shore and Harbor Planning Grant (Start 10/11/2019; End 6/30/2024)** – The planning grant funds (\$30,000) and town match (\$20,000) have been fully spent.

### **Protective Covenant:**

- **Questions/Comments** – Paragraph 1.c “*To allow community commercial fishers, fisheries, harvesters and water dependent businesses primarily for Jonesport to store waterfront industry related equipment in the area adjacent to the waterfront*” was questioned and discussed. Space does not allow for storage. Guidance on what will be allowed/not allowed at the site will be developed in an ordinance or terms of permitted use that will be approved prior to opening the working water front for use. Paragraph 1.c. will be deleted. Paragraph 4. “*Binding Effect. The restrictions set forth herein shall be binding upon any present or further owner of the Covenant Area. If the Covenant Area is at any time owned by more than one owner, each owner shall be bound by the foregoing restrictions but only to the extent that any of the Covenant Area is included within such owner’s property*” was also discussed and the committee consensus was to remove that paragraph as the intent of the restrictions is that the Henry Point Working Waterfront and Campground will be owned by the Town of Jonesport in perpetuity.
- **Vote to Approve** – A vote to approve will be taken, after changes, at a future meeting.

**Permit and Use Fee discussion:** Diane Smith (Harbor Committee Member) has started researching ordinances, fees, and permitting processes in place in other working waterfront communities. Her preliminary findings were shared. She will add Cutler and Rockland to her list to research. Committee consensus is to keep Mooring use/fee decisions and processes with the Harbor Committee and Working Waterfront use/fee decisions and processes with the Working Waterfront Access Committee.

**Other:** Johanna Szillery questioned whether there are any local ordinances that need to be considered or local approval needed for the Henry Point Working Waterfront Project. The Committees have contacted the Planning Board and will provide documentation to Johanna Szillery, Paul Monyok, and James Jutras for review.

**Meeting Adjourned at 7:09 PM.**