

## **Waterfront Committee Minutes**

Monday December 13, 1999

**Present:** Robert Ratigan, Chairman, Donald Jones, D. Kenniston Cooper, David Sutter, and William Sutter, Harbormaster

**Absent:** William Morison

Chairman Ratigan opened the meeting at 7:00pm. The committee confirmed the prior decision to meet on the second Monday of each month in the map room until further notice. There was discussion about the conditions of permits issued to vendors at the waterfront. Discussion centered on defining the length of permits, and the winter storage of private property on town facilities. Jones moved that:

It is the opinion of this committee that the Town ought not to allow vending permit holders to store their mobile vending units on town property, including waterfront facilities, during seasons when they are not in use. Such permit holders are permitted to serve the public from town property when it is in the interest of the town for them to do so. Not being lessors of town property, they are only allowed the temporary use of public facilities within the terms of the permit. Off-season storage of private property on town facilities, not only interferes with maintenance, but also creates a visual blight during seasons when there is no compensating service benefit to the public.

Moreover, there is no guarantee that a permit holder is assured that the same permit will be issued in successive years. Conditions may change from year to year causing a vendor to be assigned a different spot, or the permit issued to a different vendor. It is also not in the interest of the town that an erroneous perception be allowed to develop that any particular spot "belongs" to a particular vendor.

D. Sutter seconded the motion. Cooper suggested that the motion be amended to define the length of the season. It was agreed to add the following sentence: "We recommend that the season be defined as May 1 to Nov 1." The motion was not agreed to by a vote of one to three. Jones supported, Ratigan, Cooper, and D. Sutter opposed.

Ratigan offered an alternative motion: "This committee recommends to the selectmen that all waterfront related vendor permits be for the period May 1 to Nov 1, and for no longer than three years payable annually." D. Sutter seconded, and the motion carried by a vote of three to one. Jones opposed.

D. Sutter initiated discussion of whether the spilling of liquids by lobster fishermen when transferring bait fish to boxes constituted a violation of Article IV, section 6 Pollution of Waters, and whether the constant wetness damaged the memorial Pier. Harbormaster Sutter declined to opine on the legal question, but

stated that he believed the salty bait fish water, even when diluted with fresh water from hosing off, was not a problem. Ratigan said he believed it did constitute a violation. Chairman Ratigan cut off discussion and moved to the next item of business.

Discussion ensued regarding the mast and boom proposal by five lobstermen which was referred to the committee by the selectmen. Jones, saying that the proposal as presented was unacceptable but wanting to find away to accommodate the fisherman offered the following motion:

It is the opinion of this committee that the permitting of one or a group of persons to erect and maintain a mast and boom on Wiscasset's Memorial Pier ought to be similar in concept to a vendor permit, except that since a semi-permanent mounting fixture is required and the hardware investment is of limited transferability, the permit period should be for a longer period, such as five years. Proof of liability insurance should be required, and the cost of electrical service should be incorporated into the permit fee. As with any vendor operating on town property goods and services must be available to members of the public at customary rates and conditions. We feel that it is not appropriate to allow the exclusive use of town property for a private enterprise not serving the public.

The motion failed for lack of a second. Harbormaster Sutter said that the essential issue is whether you want a working waterfront. A mast and boom located as proposed would prevent any cruise ships from tying up to the Memorial Pier. Ratigan offered an alternative motion: "The committee recommends that the proposal for a mast and boom be denied, because we feel that it is not appropriate to allow the exclusive use of town property for private enterprise." Cooper seconded, and the motion passed three to one, Jones opposing.

The meeting was adjourned at 9:20pm. The next meeting will be Monday, January 10