



## MINUTES

# Board of Port Wardens

January 25, 2022, 7:00 pm

Virtual Hearing

**Members Present:** Chair Gene Godley, Robert Shapiro, Scott Anderson, Willie Sampson

**Members Absent:** John Butler

**Staff Present:** Kevin Scott, Planning & Zoning, Kerry Berger, Assistant City Attorney, Alderman Ross Arnett, Mike Mallinoff, Interim Director of Planning and Zoning.

**A. CALL TO ORDER**

Chair Godley called the meeting to order at 7:00 pm.

**B. APPROVAL OF AGENDA**

Mr. Anderson moved to approve the agenda as written. Mr. Shapiro seconded the motion. The motion passed 4-0.

**C. APPROVAL OF NOVEMBER 23, 2021 MINUTES**

Mr. Sampson moved for approval of the minutes as written. Mr. Shapiro seconded the motion. The motion passed 4-0.

**D. FINDINGS OF FACT, NOVEMBER 23, 2021**

1. PORT2021-024 – 125 Spa View Avenue. Mr. Shapiro moved to approve the findings. Mr. Sampson seconded the motion. The motion passed 4-0.

2. PORT2021-025 – 709 Arundel Place. Chair Godley moved to approve the findings. Mr. Shapiro seconded the motion. The motion passed 4-0.

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3. PORT2021-026 – 16 Chesapeake Landing. **Chair** Godley moved to approve the findings. Mr. Shapiro seconded the motion. The motion passed 4-0.

**E. OLD BUSINESS**

**1. PORT2021-019 – Yard, LLC, 222 Severn Avenue: Construct a 233’ floating pier which includes an 8’ x 157’ main pier, a 12’ x 23.5’ floating platform, a 6’ x 49 T-Head, a 4’ x 54’ finger pier, a 5’ x 70’ finger pier, and a 4.5’ x 20’ gangway.**  
*PUBLIC HEARING CONTINUED FROM NOVEMBER 23, 2021.*

Two additional exhibits have been received by the Board, and made a part of the record.

**Chair** Godley accepted the following exhibits into the record.

EXHIBIT NUMBER	EXHIBIT
A.7	Letter from Cardie Templeton dated 12/7/21 with attachments

**Chair** Godley accepted the following exhibits into the record.

EXHIBIT NUMBER	EXHIBIT
T.12	Letter from Charles Schaller dated 12/7/21 with attachments

In deliberation discussion, **Chair** Godley cited three trends in the maritime industry: That boats are becoming longer, with longer beam lengths and multiple hulls; there is increased use of individual watercraft; and there is increasing demand for access to the water. The waterway involved in this Application would be affected by all three of these factors.

Of concern to the Board is the capability for safe, navigable access to the water by the public, occlusion of the waterway and the potential to cause congestion.

**Chair** Godley motioned to deny the application. The motion was seconded by Mr. Shapiro. The motion passed 4-0.

**F. NEW BUSINESS**

**1. PORT2021-027 – Jabin Family Real Estate, LLC, 7310 Edgewood Road: Construct +/- 1200 LF timber bulkhead; replace existing fixed piers with floating platforms.**

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The Applicant presented the proposed project consisting of replacement of the bulkhead, and the removal and replacement of existing piers with floating platforms. Due to rising water levels and activity on Back Creek, the natural shoreline has eroded into a steep slope. The proposal is to install 1200 linear feet of timber bulkhead to support the shoreline and halt erosion. In addition, existing piers were built in 1981 and require replacement. The Applicant wishes to replace them with floating docks. Since newer boats are wider than others in the past, the slips will be made wider as well, which results in a net reduction of slips.

The Application explained that the Maryland Department of the Environment representatives visited the site and rendered the opinion that a timber bulkhead is the best option for this project because it would be the least destructive to the environment. Creating a living shoreline is not feasible due to the steep slope abrupt change in water depth just offshore. The Board Members asked questions concerning the materials used in the floating docks and utilities to the site.

Mr. Scott reported that no public comments have been received.

With there being no further questions or comments, Mr. Anderson motioned to approve the application. The motion was seconded by Mr. Shapiro. The motion passed 4-0.

**Chair Godley** accepted the following exhibits into the record.

EXHIBIT NUMBER	EXHIBIT
A.1	Maritime Construction Permit application dated 11/8/21

**Chair Godley** accepted the following exhibits into the record.

EXHIBIT NUMBER	EXHIBIT
C.1	Staff Report dated 1/14/22

**2. PORT2021-028 – City of Annapolis c/o DPW, Cheston Avenue (Street End Park); to replace 135 LF of timber bulkhead; install a 10’ x 25’ floating dinghy dock, with a 4’ x 30’ gangway, and a 10’ x 14’ kayak launch floating platform.**

Scott Mielke, representing the City of Annapolis, presented the proposed project, and referred to plans which were previously forwarded to the Board. The Board Members had no additional questions or comments.

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Mr. Sampson motioned to approve the Application. The motion was seconded by **Chair** Godley. The motion passed 4-0.

**Chair** Godley accepted the following exhibits into the record.

EXHIBIT NUMBER	EXHIBIT
A.1	Maritime Construction Permit application dated 11/8/21

**Chair** Godley accepted the following exhibits into the record.

EXHIBIT NUMBER	EXHIBIT
C.1	Staff Report dated 1/14/22

**3. PORT2021-030 – James & Kathleen Mott, 602 Burnside Street; remove existing pier 4' x 18.5' and construct new pier 6' x 30' and install 3 mooring pilings.**

Dan Lerian, representing the Applicant, presented the proposed project. He noted that several written public comments have been submitted (Exhibits T.1 to T.10). He anticipated a “no objection” letter from a neighboring property owner; however, the letter was not received. To address the issue of public water access, the Applicant has modified the drawings to build within the setback, and they are not asking for an exception to the setback at this point in time. The Applicant agrees to remove the tip of the pier and eliminate one mooring piling.

Mr. Scott reported that an easement would not affect the way the lateral lines are drawn, and that the proposed project does not impede public access to the water.

**Chair** Godley motioned to approve the application subject to the modifications removing the tip of the pier and eliminating one mooring piling since no letter was received expressing no objection. Mr. Anderson seconded the motion. The motion passed 4-0.

**Chair** Godley accepted the following exhibits into the record.

EXHIBIT NUMBER	EXHIBIT
A.1	Maritime Construction Permit application dated 12/23/21
A.2	Email from Dan Lerian, “Public Access” dated 1/25/22
A.3	Email from Frederick Bedell, “Alternate Pier” dated 1/21/22

**Chair** Godley accepted the following exhibits into the record.

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EXHIBIT NUMBER	EXHIBIT
C.1	Staff Report dated 1/14/22

Chair Godley accepted the following exhibits into the record

EXHIBIT NUMBER	NAME	ADDRESS	EXHIBIT
T.1	Carol Bonney	534 Burnside Street	Email dated 1/24/22
T.2	Cory Bonney	534 Burnside Street	Email dated 1/24/22
T.3	Carol Bonney	534 Burnside Street	Email dated 1/24/22
T.4	Cory Bonney	534 Burnside Street	Email dated 1/24/22
T.5	Rockford Toews	504 Steele Street	Email dated 1/24/22
T.6	Barbara Beck	614 Burnside Street	Email dated 1/23/22
T.7	Barbara Beck	614 Burnside Street	Email dated 1/22/22
T.8	Bill Borwegan		Email dated 1/24/22
T.9	Rockford Toews	504 Steel Street	Email dated 1/24/22
T.10	Bill Borwegan		Email dated 1/24/22

**G. MISCELLANY**

There was none.

**H. ADJOURNMENT**

The meeting was adjourned at 7:38 pm.

The next meeting of the Board of Port Wardens is scheduled for February 22, 2022 as a virtual meeting.

Kimberly Consoli, Recorder

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