



City of Annapolis

Board of Port Wardens
Department of Planning & Zoning
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MINUTES

BOARD OF PORT WARDENS

Wednesday, May 27, 2020
Virtual Public Meeting
7:00pm

A. CALL TO ORDER: Gene Godley-**Chair**, 7:01pm

B. ROLL CALL:

Members Present: Gene Godley-**Chair**, Willie Sampson-**Vice Chair**, Scott Anderson, John Butler

Staff: Kevin Scott, Kerry Berger-Assistant City Attorney

C. APPROVAL OF AGENDA

Mr. Anderson moved approval of the agenda as submitted. Mr. Butler seconded the motion. The motion passed unanimously in a vote of 4-0.

D. ADMINISTRATIVE

1. February 25, 2020 Meeting Minutes:

Mr. Butler moved approval of the February 25, 2020 meeting minutes as written. Mr. Anderson seconded the motion. The motion passed unanimously in a vote of 4-0.

2. Findings of Fact- February 25, 2020

PORT2020-001– Mallard1, LLC – 719 Chester Avenue – **Approved as submitted.**

Mr. Anderson moved to approve the findings of fact for 719 Chester Avenue as submitted. Mr. Butler seconded the motion. The motion passed unanimously in a vote of 4-0.

3. Chair Godley administered the oath en masse to all persons intending to testify at this hearing. He noted that the public commentary will be received up until June 23, 2020 because of such the BPW will not take a vote on the applications at this meeting.

E. NON-HEARING ITEMS

1. Harbormaster’s 2020 Report Regarding Annual and Transient Mooring Permits

Mr. Scott noted that pursuant to Title 15, Section 15.20.110 (Paragraph A), the Harbormaster is required to present an annual report that states the number of mooring permits issued during the 2020 season.

Mr. Anderson moved to accept the Harbormaster’s 2020 Annual and Transient Mooring Permits. **Vice Chair** Sampson seconded the motion. The motion passed unanimously in a vote of 4-0.

F. NEW BUSINESS

1. PORT2020-002 – Rothenhaus/Henry, 198 Acton Road – Replace existing permitted 10’ x 14’ floating platform with a new floating platform of the same size.

Mr. Hartman presented the request to replace an existing floating platform with a replica floating platform. He concluded that the applicants are requesting approval of this in-kind floating platform.

There were two written comments received prior to the meeting that were entered into the record however, the record will remain open to accept written testimony until June 23, 2020 at which time the BPW will deliberate on the project.

Chair Godley accepted the following exhibits into the record.

Exhibit Number	Board of Port Wardens Exhibit Type
A	Staff Memorandum dated May 11, 2020 with attachments

Exhibit Number	Board of Port Wardens Exhibit Type
B	Cindy Dommissie email dated May 23, 2020
C	Marie Gomba email dated May 26, 2020

2. **PORT2020-003** – Brian Boy, 517 Horn Point Drive – New pier 127.5' x 6' including 10' x 20' platform at end, 3' x 20' finger pier, 2 boat lift piles, one 4-pile lift, 2 MiniMag single-sided lifts, one mooring pile, and additional 6' x 46' walkway from MHWL to uplands.

Mr. Welsh presented the request for a new pier to include a platform at the end, two boat lift piles, one 4-pile lift, two single-sided lifts, a mooring pile and an additional walkway. He noted that the property was posted on May 14, 2020 and the mailings were sent on May 1, 2020 to meet the notification requirements. He noted MDE has issued their permits on the application.

There was no written public testimony submitted at the time of the meeting however, the record will remain open to accept written testimony until June 23, 2020 at which time the BPW will deliberate on the project.

Chair Godley accepted the following exhibits into the record.

Exhibit Number	Board of Port Wardens Exhibit Type
A	Staff Memorandum dated May 11, 2020 with attachments

3. **PORT2020-004** – Julie and Tom Peterson – 93 Spa Drive – Install 20,000lb boat lift at existing residential pier, requiring four pilings, construct a 20' x 3' finger pier attached to the existing 10' x 5' pier for access to the boat on the lift.

Mr. Biba described the request to install a 20,000lb boat lift adjacent to an existing pier as well construct a finger pier to run parallel to the boat lift. The applicants own a 31-foot powerboat that is tied to an existing dock. This project was part of a dredging project specifically it is 1 of 16 dredging projects.

There was no written public testimony submitted at the time of the meeting however, the record will remain open to accept written testimony until June 23, 2020 at which time the BPW will deliberate on the project.

Chair Godley accepted the following exhibits into the record.

Exhibit Number	Board of Port Wardens Exhibit Type
A	Staff Memorandum dated May 13, 2020 with attachments

4. **PORT2020-006** – James D. and Craven C. Engels, 218 Norwood Road – Install a new boat lift on existing pilings on existing pier, relocate one existing jet ski lift.

Mr. Marsh presented the request to install a new boat lift on an existing pilings and to relocate an existing jet ski lift from the shore to the far corner of the pier to get into deeper water. He applied for MDE permit approval which he received on October 24, 2019. The property was adequately posted.

There was no written public testimony submitted at the time of the meeting however, the record will remain open to accept written testimony until June 23, 2020 at which time the BPW will deliberate on the project.

Chair Godley accepted the following exhibits into the record.

Exhibit Number	Board of Port Wardens Exhibit Type
A	Staff Memorandum dated May 11, 2020 with attachments

5. **PORT2020-007** – Osman and Aude Ismael Living Trust – 940 Creek Drive – Add a 6' x 20' floating dock and two guide pilings and a 39" x 10' step down to access floating dock.

Mr. Lerian presented the proposal to remove/replace an existing deck and pier; to install access steps to access a floating dock; to install a floating dock; and to add two guide pilings to hold floating dock. He explained that the applicants have received approval from both MDE and Army Corps of Engineers. He noted the property was adequately posted and all of the adjacent property owners have been notified.

There was no written public testimony submitted at the time of the meeting however, the record will remain open to accept written testimony until June 23, 2020 at which time the BPW will deliberate on the project.

Chair Godley accepted the following exhibits into the record.

Exhibit Number	Board of Port Wardens Exhibit Type
A	Staff Memorandum dated May 14, 2020 with attachments

6. **PORT2020-008** – Leo W. and Patricia A. Dunn – 18 Spa View Circle – Remove existing pier and seven mooring pilings and install 6’ x 52’ pier with a 10’ x 20’ L head, total length equal 62’. Install three boat lift pilings and one boat lift. Install 52’ timber bulkhead 18” channelward of existing concrete bulkhead.

Ms. Norris presented the request to remove existing pier and seven mooring piles; install a pier with a L head; install three lift piles and a boat lift along with the installation of a 52’ timber bulkhead channelward of existing concrete bulkhead. The bulkhead was approved by MDE at a pre-application meeting.

There were two written comments received prior to the meeting that were entered into the record however, the record will remain open to accept written testimony until June 23, 2020 at which time the BPW will vote on the project.

Chair Godley accepted the following exhibits into the record.

Exhibit Number	Board of Port Wardens Exhibit Type
A	Staff Memorandum dated May 11, 2020 with attachments
B	Tim Koch email dated May 20, 2020
C	Suzy Moore email dated May 27, 2020

7. **PORT2020-009** – Astarte, LLC c/o Laurent Comte, 9 Shipwright Street – Remove/replace a 6’ x 53.5’ pier, two moorings pilings; two wood decks 3.5’ x 5.5’ x 11’, a 34lf timber bulkhead 18” channelward; add three new mooring pilings and dredge existing slip to -9 MLW, approximately 60 cubic yards.

Mr. Larian presented the request to remove and replace an existing pier and replace in-kind; add three mooring piles, replace two wood decks; replace the existing 32’ bulkhead; and dredge the existing slip. The property has been properly posted and the adjacent property owners has been notified. The pier will be raised 14” and bulkhead will be raised approximately 14” to match the neighboring properties. The applicants have received permission from both adjacent property owners to attach the bulkhead to the property line and build in the lateral line setback. The property has not received approval from the MDE and Army Corps of Engineers yet but initial comments appear favorable. The Board of Public Works requested the lateral line calculation for this application which Mr. Larian agreed to provide prior to the next meeting.

There was no written public testimony submitted at the time of the meeting however, the record will remain open to accept written testimony until June 23, 2020 at which time the BPW will deliberate on the project.

Chair Godley accepted the following exhibits into the record.

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G. MISCELLANY

Mr. Butler acknowledged the court case included in the application for Heidi Rothenhaus.

H. ADJOURNMENT

With there being no further business, Mr. Butler moved to adjourn the meeting at 7:42pm. Mr. Anderson seconded the motion. The motion passed unanimously in a vote of 4-0.

The next meeting Board of Port Warden’s meeting is scheduled for June 23, 2020 at 7:00pm as a virtual meeting.