



MINUTES

Board of Port Wardens

June 28, 2022, 7:00 pm

Virtual Hearing

Members Present: **Chair** Gene Godley, **Vice Chair** Willie Sampson, Harold Seigel, Scott Anderson

Members Absent: Robert Shapiro

Staff Present: Kevin Scott, Planning & Zoning, Michael La Place, Director, Planning & Zoning.

Others Present: Kerry Berger, Assistant City Attorney

A. CALL TO ORDER

Chair Godley called the meeting to order at 7:01 pm.

B. APPROVAL OF AGENDA

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

C. ADMINISTRATIVE BUSINESS

1. Minutes of May 24, 2022 - Mr. Anderson moved to accept the minutes of May 24, 2022 as written. Mr. Seigel seconded the motion. The motion passed 4-0.

2. Findings of Fact from May 24, 2022

**PORT2022-008 311 First Street
PORT2022-009 2 Wells Landing**

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PORT2022-010 7046 Bembe Beach Road

Mr. Seigel moved to approve the Findings of Fact for 311 First Street, 2 Wells Landing, and 7046 Bembe Beach Road. Mr. Sampson seconded the motion. The motion passed 4-0.

D. NEW BUSINESS

1. PORT2022-004 – 32R Spa Creek, LLC, 139 Spa Drive: Remove existing 5'-10" x 31'-9" platform; Replace and relocate existing 90'-2" x 4'-1" pier 3' to the west leaving the existing 2' x 49' finger pier to remain in place; Replace 36.5 LF of existing bulkhead 18" channelward.

All those wishing to testify were sworn in.

Jonathan Scruggs, counsel for the Applicant, introduced the proposed project.

A question was asked by the Commission about lateral lines and possible impingement.

Live testimony was given by the following:

- Jonathan Scruggs questioning his client, Marty Insley, property owner.
- Daniel Mellin, counsel representing Robert and Janet Katz.
- Dan Fowler, surveyor.
- Stuart Hecker
- Richard Piske

Commission Scott Anderson left the meeting at 7:49 pm.

In deliberations, the Board Members discussed interpretation of the code with regard to impingement.

Chair Godley accepted the following exhibits into the record.

Exhibit Number	Exhibit
A.1	Maritime Construction Permit Application dated 4/8/22
A.2	Applicant Letters from Johnson and Piske dated 6/27/22
A.3	Scruggs Additional Exhibits dated 6/27/22
A.4	Louis State License 6/28/22
A.5	Scruggs photos 6/28/22

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Chair Godley accepted the following exhibits into the record.

Exhibit Number	Exhibit
C.1	Staff Report dated 5/13/22

Chair Godley accepted the following exhibits into the record.

EXHIBIT NUMBER	NAME	ADDRESS	EXHIBIT
T.1	Daniel Mellin	122 Duke of Gloucester Street	Email 5/19/22
T.2	Daniel Mellin	122 Duke of Gloucester Street	Email 5/23/22
T.3	Daniel Mellin	122 Duke of Gloucester Street	Email 6/24/22
T.4	Daniel Mellin	122 Duke of Gloucester Street	Email 6/27/22
T.5	Daniel Mellin	122 Duke of Gloucester Street	Email 6/27/22 (aerial photos)
T.6	Daniel Mellin	122 Duke of Gloucester Street	Email 6/27/22

Chair Godley moved to approve the application. Mr. Sampson seconded the motion. The motion passed 2-1 (Mr. Seigel opposed).

2. PORT2022-005 – Francis M. “Marty” Insley, 135 Spa Drive: Construct new 90’-4” x 4’-1” pier with a 3’ x 49’ finger pier, 15K lb boat lift, and 2 dinghy mooring piles; replace 34 LF of existing bulkhead 18” channelward.

Jonathan Scruggs and Joe Louis, Consultant, introduced the proposed project.

Live testimony was given by the following:

- Stuart Hecker
- Daniel Mellin

The Board Members had no questions or comments in deliberation.

Chair Godley moved to approve the application. Mr. Sampson seconded the motion. The motion passed 3-0.

Chair Godley accepted the following exhibits into the record.

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A.3	Louis Additional Exhibits 6/27/22

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EXHIBIT NUMBER	NAME	ADDRESS	EXHIBIT
T.1	Stuart Hecker	131 Spa Drive	Email 3/23/22
T.2	Stuart Hecker	131 Spa Drive	Email 6/17/22
T.3	Stuart Hecker	131 Spa Drive	Email 6/28/22

E. ADJOURNMENT

With there being no further business before the Board, the meeting was adjourned at 8:22 pm.

The next meeting of the Board of Port Wardens is scheduled for July 26, 2022 at 7:00 pm as a virtual meeting.

Kimberly Consoli, Recorder

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