

HENRY POINT WORKING WATERFRONT PROJECT

COMBINED COMMITTEE MEETING

WORKING WATERFRONT ACCESS COMMITTEE; HARBOR COMMITTEE

July 16, 2025

MINUTES

Attendance: Ira Kelley, Chairman Working Waterfront Access Committee; John Church, Harbor Master; Johanna Szillery, Haley Ward (Zoom); James Jutras, SCEC (Zoom), Kathy Killian, Grants/Planning Assistant.

Minutes of June 18, 2025: Draft Minutes of the June meeting were distributed by e-mail; no comments or corrections received. Minutes were reviewed during the meeting and a motion made to accept as written. Seconded and approved.

Haley Ward Update:

- **Submerged Land Lease:** On July 2, 2025 Kathy received a call from John Noll, Submerged Lands Director, Bureau of Parks and Lands. He explained that he is unable to approve our grant application for site work for the launch ramp and to move the concrete planks from Jonesboro to Jonesport. As a follow up to that news, and most important is that we had not applied for a Submerged Land Lease for the project, and that John and his assistant Anja Parlin had determined that it is not clear that Jonesport has ownership to the low water mark at Henry Point. A call was scheduled to discuss application and requirements in more detail. Invitees were John Noll, Anja Parlin, Paul Monyok, Johanna Szillery, John Church, Ira Kelley, James Jutras, and Kathy Killian. Paul Monyok and Ira Kelley were not available for the July 8, 2025 call. Summary follows:
 - Submerged Land Lease is needed for the launch ramp and floats.
 - Ms. Parlin was in touch with Paul Monyok of Haley Ward in February to let him know an application, \$100 fee, and site plan with details regarding dredging and fill would be required.
 - There is a need for title rights or interest that show clear right to low water. Mr. Noll and Ms. Parlin do not think current deed shows this. A title opinion, survey, or re-written deed is needed. Title Opinion is preferred over legal opinion. Haley Ward provided a summary of deeds and surveys (attached) from 1867 forward to the Almer Huntley survey in 1987. Also included in the Haley Ward summary was reference to case law dated April of 2018 published by the Maine Law Review titled “Maine Principles of Ownership Along Waterbodies”. (<https://legislature.maine.gov/doc/8860>) The summary has been sent to Jonesport’s legal counsel for opinion and next steps to resolve deed wording.

- A clearly dimensioned plan, showing items noted on the submerged lands application is also needed as part of the application. Any seasonal uses or needs should be clear in the application. Paul and Johanna will investigate any updates needed.
- Kathy has requested the \$100 application fee from the town treasurer.
- The review timeline for submerged land application is (minimum) 60 days from complete application.
- **Environmental Review (required for release of HUD funds):** Kathy reiterated the need for the filing of the Environmental Reviews with HUD as the town needs to access the grant funds.
- **Tier 3 Permit Status; including comments from ACOE:**
 - DEP and ACOE will have a compensation fee which was estimated by ACOE at \$165,510.58. Johanna explained that there are some plan updates needed that may impact the fee (higher of DEP or ACOE) and to plan on \$200,000. Fees must be paid before work begins. Determination of whether the fees can be paid from HUD funds is needed, and access to those funds will be critical.
 - Johanna will draft a letter for ACOE regarding Section 106 for the National Historic Preservation Act.
 - Harry Fish should be named as the Agent on the issued ACOE permit. The Selectboard will approve this at their July 30, 2025 meeting.
 - The Committee approved the decision to shorten the northernmost float at the launch ramp by 6 feet to satisfy the ACOE anchorage buffer.
- **Bid Packet Review:** No updated Bid Packet draft will be released by Haley Ward until the DEP and ACOE permit questions are answered. Kathy requested that Paul make some time available to the town to review their comments and questions to avoid multiple drafts going back and forth.

Coleman/TD Bank Request for Information

- **Additional Requests:** Jonesport has provided all requested information for the Easement Consent. Mr. Coleman's attorney has provided all the requested information to TD Bank regarding the transfer of the property to a trust. Potentially, the only remaining requirement is a property appraisal that will be ordered by TD Bank if needed.

Grant Updates:

- **Representative Jared Golden Request FY2026 submitted in case funding will be offered:** No news.
- **FY 2025 Coastal Community Grant.Shore and Harbor Planning Grant Programs:** This grant primarily covers the costs of Bid Packet preparation and the process of bidding and awarding the contract(s) for construction.

- **FY2023 Community Project Funding (HUD – EDI/CPF):** Need to submit the Environmental reviews to access funds.
- **2025 Harbor Management and Access Grant Application Submitted:** The grant has not been awarded due to lack of submerged lands lease and clear title to low water.
- **NBRC Pre-application due August 29, 2025:** James Jutras from SCEC will be primary contact for this with Kathy assisting.

Permit and Use Fee: any information or discussion: no discussion.

Meeting Adjourned at 7:00 PM. Next meeting scheduled for August 20, 2025 at 6:00 PM.

ktkillian; July 21, 2025