

Proposed Workshop for Bar Harbor Town Council and Harbor Committee
Tuesday, June 22 5-6:30 pm in Council Chambers

Note: Times indicated will allow us to complete in 90 minutes or so... please allow an extra 30 minutes in case our discussion is more wide ranging!

Draft Outline

- 5:00 Welcome, Overview of session and two intended outcomes (Ron)
Consensus to accept Harbor Committee Recommendation to demolish existing pier/infrastructure
- Consensus about elements to include in a Master Plan for 121 Eden Street, including multi-purpose marine facilities, public park and provision of parking/shuttle services
- 5:05 How did we get here... very brief recap (Ron)
- 5:10 Presentation by Dan Bannon, GEI summarizing findings about the current pier/infrastructure of the former ferry terminal and Q & A
- 5:40 Discussion of uses to incorporate into master plan for at 121 Eden Street
1. Multi-purpose marine facility
 - provision for continuation of lease by Bay Ferries for the Cat,
 - commercial marina and land-based facilities to support marina operation including rest rooms/showers, chandlery etc.)
 - boat launch for small boats, kayaks, etc.
 - other elements of working waterfront not accommodated at town pier
 - provision for limited tendering from willing cruise ship lines
 2. Public park
(walking path, benches, picnic tables, information kiosks, viewing platform that extends out over the water)
 3. Parking and shuttle service
- 6:00 Attempt consensus from members of Town Council to accept Harbor Committee recommendation to demolish existing pier
- 6:15 Attempt consensus to move forward to develop Master Plan for 121 Eden Street to incorporate the three principle uses outlined above.
- 6:30 Next Steps

To: Town Manager and Bar Harbor Town Council
From: Harbor Committee
RE: Recommendations on marine uses of 121 Eden Street
Date: March 12, 2021

Overview

The Town of Bar Harbor purchased 121 Eden Street, the site of the former international ferry terminal from the State of Maine, authorized by voters in June 2018. Leading to that decision, the Town hired Bermillo Ajamil & Partners (BA) to conduct a feasibility study for development of the property. BA included a comprehensive citizens advisory process as part of their work, in which several uses for the property were considered.

One of those uses was redevelopment of international ferry services. In October of 2018, the town entered into a contract with Atlantic Fleet Services, a Bar Harbor-based agent for Bay Ferries Ltd., operators of the Cat Ferry, leasing a portion of the lot on which to mount a revised international ferry service. There followed a long period of site development and construction, with hopes that ferry service is slated to begin in the Spring of 2021. Recent announcements by the Canadian Government indicate that no service is anticipated in 2021 due to pandemic restrictions.

Another proposed use, that of providing facilities for docking of cruise ships longer than 500 feet, was eliminated by a land use ordinance supported by a citizen's initiative process in June of 2019.

The BA study included preliminary business plans for uses that might yield income to offset municipal purchase and operations costs and a process of citizen and stakeholder engagement about potential uses for the property.

The 2018 BA study and discussion by the Citizens Advisory Committee recommended that the property host the following five desired uses:

1. possible expansion of the town's working waterfront, including a boat ramp,
2. marina services to recreational and working watercraft and owners,
3. tendering of passengers from willing cruise ships.
4. creation of a public park, and
5. provision of parking and associated bus service that might relieve congestion in the downtown area.

In 2019, the Town Council set up separate feasibility and design processes for the latter two proposals (4 and 5), and it expanded the Harbor Committee and asked that it investigate uses broadly associated with expansion of the town's working waterfront (1,2 &3 above).

In September of 2020, after an RFP process, the Town Council contracted with GEI Engineering of Portland to assess the condition of the existing pier and related infrastructure with respect to possible reuse.

In October of 2020, the Town Council revised its charge to the Harbor Committee to include oversight of the GEI assessment of existing infrastructure and review of waterfront uses proposed by the Citizens Advisory Committee. Following that work the Harbor Committee would then organize a meeting with teams charged with design of a public park and provision of satellite parking, with the aim of creating an overall master plan for 121 Eden Street.

In November, the Harbor Committee reviewed findings from its review of the uses of the waterfront portion of 121 Eden Street, report attached.

At its meetings In December 2020 and in January and February 2021, the Harbor Committee discussed the draft and final report from Dan Bannon, of GEI Engineering, which provided a detailed analysis of the condition of the existing pier infrastructure and estimates of costs to repair or demolish. A summary of GEI findings compiled by the Harbormaster follows, including this conclusion from Mr. Bannon:

Based on GEI's analysis, it is our opinion that the existing structure has surpassed its useful life or the period when a practical repair program can be implemented. Additionally, the existing structure was purpose-built for a use that no longer exists and does not appear to be readily compatible with the Town's proposed future uses at the site. At this time, it is the opinion of GEI that the most economically and technically feasible option will be to demolish the pier in its entirety and replace the structure. The cost of replacement is in a similar order of magnitude to repair, and would provide a structure with an extended service life and design better suited to the future uses. This is a significant financial investment and the design of the replacement structure should be carefully considered to maximize the potential usefulness, compatibility with future uses, and economic benefit of the project.

Harbor Committee Recommendations

Based on the conclusion in the GEI report and its own review of uses proposed by the Citizens Advisory Committee for the waterfront portion of 121 Eden Street, the Harbor Committee recommends that town

1. proceed with demolition of existing pier and infrastructure not needed to fulfill its contract with Bay Ferries, Inc.
2. continue work with GEI or other qualified marine engineers to design options for phased development of a multi-purpose marina that includes
 - a boat ramp for recreational and limited commercial use
 - traditional marina services to recreational and working watercraft and owners
 - expansion of the town's working waterfront
 - tendering of passengers from willing cruise ships

Note: Since it is particularly difficult to project the future needs of commercial users of our waterfront and needs of the cruise ship industry, or indeed of the international ferry, it is important that any initial development of 121 Eden Street not preclude future development to meet these needs.

Following Council direction, the Harbor Committee is prepared to host a meeting with teams charged with exploration of uses of 121 Eden Street, including creation of a public park, and provision of parking and associated bus service that might relieve congestion in the downtown area.*

*there is some question whether the current Land Use Ordinance allows this proposed use of 121 Eden Street

Attachments:

- Harbor Committee Review of Possible Uses of Waterfront Portions of 121 Eden Street (October 2020)
- Harbormaster summary of GEI Final Report (February 9, 2021)

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Memorandum

To: Harbor Committee, Town of Bar Harbor
From: Charlie Phippen
Date: February 9, 2021
Re: GEI Final Report on the Ferry Terminal Structural Integrity Assessment

This memo is a summary review of the Final Report for which the Harbor Committee received a briefing from Dan Bannon of GEI Engineering on February 8, 2021. You should have received the report via email and you are welcome to read the whole report, but I thought it might be helpful to point out significant sections of the report.

- The Ferry Terminal Pier was built in 1956 and is 65 years old and the original intended use is now obsolete.
- The condition of pier pilings was done on an A – F scale and conditions observed by GEI during the inspection were C – “Fair” through F – “Critical”.
- The current condition can be attributed to: Normal deterioration, Advanced deterioration due to construction type, Advanced deterioration due to deferred maintenance and Damage due to specific events.
- GEI used American Society of Civil Engineering (ASCE) and other industry standards to rate condition of the structure.
- The report specifies both damage assessment and condition assessment.
- A hydrographic and drone survey of the site was conducted.
- The load rating for the pier surface was that “there is little to no remaining live load capacity, or 0 pounds per square foot and recommended the pier be closed to pedestrian and vehicular traffic. (Access was restricted by the Public Works Department in fall 2020)
- The lateral berthing and mooring assessment for use of the north pier by the Cat Ferry recommends less than 1 knot approach speed, less than 15% approach angle and winds less than 30 mph. GEI recommends review of these operating parameters with Bay Ferries.
- Short Term and Long Term recommendations for repair and replacement are found in Sections 4.1 through 4.6.
- Long Term repairs could extend the expected useful life of the pier by up to 25 years, but given the significant costs of repair, consideration should be given to full demolition and replacement which is more cost effective and would result in longer design life to meet the current intended uses of the facility.
- Tables 14, 15 and 16 found on page 50 show Short and Long term repair costs and Site improvement cost comparison.
- GEI’s Conclusion verbatim:

4.7 Conclusions

Based on GEI's analysis, it is our opinion that the existing structure has surpassed its useful life or the period when a practical repair program can be implemented. Additionally, the existing structure was purpose-built for a use that no longer exists and does not appear to be readily compatible with the Town's proposed future uses at the site. At this time, it is the opinion of GEI that the most economically and technically feasible option will be to demolish the pier in its entirety and replace the structure. The cost of replacement is in a similar order of magnitude to repair, and would provide a structure with an extended service life and design better suited to the future uses. This is a significant financial investment and the design of the replacement structure should be carefully considered to maximize the potential usefulness, compatibility with future uses, and economic benefit of the project.

The appendix A through G have much useful information including appendix D – Photo Log, E – Hydrographic Survey and G – Marina Concepts, Plans A, B and C.

I hope you find this brief summary helpful when reviewing GEI's final report.

Charles A. Phippen
Harbormaster



June 22, 2021

Jeff Dobbs
Chair, Bar Harbor Town Council
Town of Bar Harbor
Municipal Building
93 Cottage Street, Suite 1
Bar Harbor ME 04609-1400

Lynne Williams
Chair, Harbor Committee
Town of Bar Harbor
Municipal Building
93 Cottage Street, Suite 1
Bar Harbor ME 04609-1400

Dear Mr. Dobbs and Ms. Williams,

RE: Ferry Service at Bar Harbor

I am writing in connection with the workshop session of the Council and the Harbor Committee taking place today to reconfirm our company's long-term interest in working with the Town to provide ferry service to Nova Scotia and a long-term stable source of revenue to the Town.

We reiterate the commitments made in our letter dated March 3, 2021, a copy of which is attached, to Ms. Williams and copied to Council.

To briefly review our company's recent involvement with the ferry terminal property:

1. Prior to entry into the lease for a portion of the ferry terminal property with the Town of Bar Harbor (to cover the period extending to the end of the 2023 operating season, with the option to Atlantic Fleet for a one-year extension covering the 2024 season), Atlantic Fleet and Bay Ferries arranged for structural inspection of the North Pier.
2. The 2019 work program (undertaken by Cianbro Corporation in Spring/early Summer 2019) involved:
 - (a) Movement of the transfer bridge and floating pontoon from Portland to Bar Harbor; and
 - (b) Upgrades to fendering on the North Pier, repairs to certain piles beneath the North Pier, and other work on the North Pier.
3. The intent of the 2019 work program was to enable safe operation of the docking facility during the 2019 to 2024 timeframe. It is now expected that ferry operations will resume most likely in Spring 2022.
4. Prior to re-commencement of operations, we will undertake a further structural inspection of the North Pier and docking facilities (in Summer 2021) to ensure safe resumption of operations.
5. Atlantic Fleet/Bay Ferries have always intended that the ferry operation provide a source of long-term revenue to the Town of Bar Harbor and enable the Town to identify and realize its long-term aspirations for the ferry terminal property, given that ferry operations only use a portion of the property.

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June 22, 2021

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6. The short to medium term priority for Atlantic Fleet/Bay Ferries is to achieve at least five years of stable operations in order to re-establish the ferry service and confirm the continued strong benefit of ferry service to the State of Maine and the Province of Nova Scotia.

As stated in our letter dated March 3, 2021, to Ms. Williams and the Council, the ambition of Atlantic Fleet/Bay Ferries is the existence of a long term, sustainable, and highly beneficial ferry service between Maine and Nova Scotia, to the benefit of communities on both sides of the Gulf of Maine. The Province of Nova Scotia, with whom Bay Ferries contracts to provide the ferry service, has displayed unwavering commitment as evidenced by the recent completion of phase 1 of terminal upgrades at Yarmouth, Nova Scotia (cost of approximately \$10 million shared by Federal, Provincial and Municipal governments) and the recent completion in Charleston (sea trials tomorrow) of two major projects to the vessel.

We undertake to work closely with the Town as it examines options for the ferry terminal property going forward. We understand the Town has considered construction of a marina and various options exist in this regard with or without removing the North Pier.

The Covid 19 pandemic has obviously made the planned return of ferry service to Bar Harbor very difficult. Similar challenges have been faced by many within the ferry industry and in many other passenger carrying industries. We thank the Town for its patience and understanding through all of this and look forward to working with you to assist the Town in realizing the potential of the ferry terminal property.

Yours very truly,

A handwritten signature in blue ink, appearing to read 'Mark MacDonald', with a stylized, cursive script.

Mark MacDonald
Chairman and Chief Executive Officer

Copies: Cornell Knight, Town Manager, Town of Bar Harbor
Members of Council
Members of Harbor Committee
Annette Higgins, President, Atlantic Fleet Services Corporation



March 3, 2021

Lynne Williams
Chair, Harbor Committee
Town of Bar Harbor
Municipal Building
93 Cottage Street, Suite 1
Bar Harbor, Maine
04609-1400

Dear Ms. Williams,

RE: Ferry Service at Bar Harbor

We have been observing, and assisting where possible, the Town of Bar Harbor's ongoing, and commendable, deliberations concerning the future of the piers at the ferry terminal and future use of the overall property.

Our company contracts with Atlantic Fleet Services Corporation ("Atlantic Fleet") for our operations in Maine. Atlantic Fleet's current lease with the Town for part of the ferry terminal property extends to October 21, 2023, with an additional one-year option in favour of Atlantic Fleet.

Our company's operating contract with the Province of Nova Scotia to provide international ferry service extends to March 2026 (the last operating season being in 2025). Our current charter on MV Alakai (The Cat) extends to the 2024 operating season but we expect it will soon be extended to cover the 2025 season.

In conjunction with the Province of Nova Scotia, we have been undertaking a major restoration/rebuild of part of the ferry terminal. The new US Customs and Border Protection ("USCBP") facilities located at the terminal are now state-of-the-art and comply with the most current USCBP standards.

Before the Town entered into its lease with Atlantic Fleet, we confirmed both our aspiration to deliver ferry service to Bar Harbor for the long term and the continued strong support of the Province of Nova Scotia. That continued commitment is evidenced by the investment in the Bar Harbor facility and also by the rebuilding of the ferry terminal in Yarmouth, Nova Scotia now also underway.

To assist the Town with its deliberations, we want to reiterate our long-term commitment to this important ferry service. Extensive customer survey data assembled by our company in the past shows that international ferry passengers are unique; they are high spending road travellers who typically stay for several days on both sides of the Gulf of Maine and deliver enormous economic impact. We look forward to their return to Downeast Maine and Southwest Nova Scotia and we aspire to deliver long term, sustainable and highly beneficial ferry service to both regions.

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We are anxious to resume operations as soon as public health circumstances allow and look forward to operating this important and longstanding international travel corridor for many years.

Yours very truly.

A handwritten signature in blue ink, appearing to read 'Mark MacDonald', with a stylized flourish at the end.

Mark MacDonald
Chairman and Chief Executive Officer

Copies: Bar Harbor Town Council
Cornell Knight, Town Manager
Annette Higgins, Atlantic Fleet Services Corporation