



Dear Neighbors,

Fields Enterprises has recently moved equipment onto the swim platform. To my knowledge, Mr. Fields has not made his intentions known.

As Communications Chair, I have decided to inform the community about the last agreement we, as a board, were working on with Jeremy Fields and why it was rejected by our board 9-0.

For many months, agreements have gone back and forth between the BHVA Board of Directors and the Fields via the attorneys. You may remember that we are a new board, elected because the former board made agreements that many of us found impossible to live with. A committee was formed to study the waterfront, what we owned, what we didn't own. That information is on the Crofton-Perdue website.

Our discussion points with Fields Enterprises were as follows:

- 1) **The Swim Platform:** It was to be reconfigured in a flag platform. It would not be moved. We were told by the town of South Bristol that the swim dock had been grandfathered in, so to speak, and to come to an agreement with the Fields. We did agree on the shape of the swim platform. With the northern piece removed, the Fields would have room for larger slips for people with disabilities. In addition, they could use that part of the dock for visitors as their 27' would not allow them to build their own dock.
- 2) **The bathrooms:** Owned by the Fields. Crofton-Perdue would hire someone to clean. We would split the cost 50/50 with them.
- 3) **The cameras:** Operation and expenses, a 50/50 split.
- 4) **Various property exchanges to clear up ambiguities :** Elevator is on BHVA property, the equipment is on Field's property. We would be given title to the elevator equipment. BHVA owns the stairs, but would allow non-residents to use the elevator and the stairs with a FOB.

We were assured by both sets of attorneys that we were in agreement on numbers 1-4.

- 5) **FOBS:** Used to keep our beach private. FOBS would be issued to residents and

non-residents. There would be a difference in the fee base. Residents already pay \$160 per month for all of BHVA amenities, including the beach, stairs and elevator. The Board of Directors asked that all non-resident users of the marina pay a fee each summer for access to the stairs, the elevator, and the bathrooms. Think of this as a GYM or CLUB membership for non-resident slip owners. Crofton-Perdue, a private company, or a member of the Board would keep track of who each non-resident slip owner was. Non-residents would not be allowed to use our beach or swim platform.

6) Easements for non-residents to access their boats and for Field Enterprise to do maintenance work.

We wanted a clear number of permitted outside users who could access our amenities. Access would be granted through the FOB system. The current 10 year license is for 164 boats. We already have 181 slips. Members of BHVA would be given a 30 or 60 day priority, then non-residents could fill the remaining slots.

Field Enterprises wanted a broader easement capability. We were willing to give a limited license to access the slips on A dock (only so that slip renters could access their boats and Fields personnel could service those boat slips). Any easement across the beach for kayak users to be solely for the purpose of accessing their kayaks and for the Fields to do necessary maintenance work, both not to interfere with resident beach usage. We would reserve our right to oppose any additional request to OGS (Office of General Services) to increase number of docks as opposed to barring Fields Enterprises or limiting them to 164.

An unobstructed easement as the final offer suggested, in our opinion, was a change in property ownership which would necessitate a 2/3 vote of the community. While we were willing to go out to the community and ask how they felt on the property transfer, we were hoping we could reach an agreement via a Zoom call on the easement issue.

BHVA needs to maintain a private beach for our residents and to protect ourselves from a liability standpoint. This is particularly pertinent this year with COVID-19 fears as space on the swim platform and the beach will be limited.

In the final draft, the Board of Directors did not object to the dock business of Field Enterprises. We no longer insisted that the slips were for residents only, but we did state that we needed to know who is on our property and we wanted some recompense for non-residents using our infrastructure.

Please remember the open meeting Tuesday May 19 at 7 pm via teleconference. The login information will be sent to you.

Patricia King

BHVA Board of Directors, Communications Chair
