

Edgartown Marine Advisory Committee
Town Hall
Minutes

Date: November 9, 2016

Members Present: Bruce McIntosh, Scott Morgan, Ed Handy – Alternate

Harbor Planning Group: Georgiana Greenough - Planning Board, JoAnn Taylor – MVC,

Other people present: Charlie Blair – Harbormaster, ConCom – Jane Varkonda, Steve Ewing,

Next Meeting Date: TBD

Meeting Opened: 3:06PM

2) Harbor Master Plan Update – Joint Meeting

- Two Coastal Zone Management (CZM) representatives toured the Harbor, looked at the Draft updated Plan and gave the following feedback.
 - They would prefer an update in the form of an “Expanded Implementation Report” essentially a supplement to the original Harbor Plan delineating all recently agreed updates. The Report would last about 10 years at which point another could be generated.
 - The Harbor Planning Group Updated Draft Plan integrated revisions into the body of the Plan but it was missing legal and statewide modifications (recent legislative acts, CZM regulations, etc.) that made it incomplete and spotty. A completely new Plan would involve further research followed by a lengthy State approval process.
- Although the Plan did not make Edgartown eligible for special grants or State/Federal funding it was a cornerstone of harbor regulation, zoning and enforcement. For example:
 - it was instrumental in a recent case insuring public access around the Harborside;
 - it was included in the Edgartown Zoning Bylaws;
 - the Town had more say about the village waterfront;
 - it regularized the Fair Pier line,
- The Committees discussed:
 - retaining the quiet residential character of the extended waterfront;
 - current and historical commercial and village use of the harbor;
 - time and resources already put into the updating procedure.
- *ED HANDY MOVED TO PROCEED WITH THE DRAFTING AND SUBMISSION OF AN EXPANDED IMPLEMENTATION REPORT AND HARBOR PLAN; SCOTT MORGAN SECONDED: MOTION PASSED UNANIMOUSLY: 3 AYES, 0 NAYS, 0 ABSTENTIONS.*

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- CHAIR BRUCE MCINTOSH AUTHORIZED THAT THE PLANNING BOARD BE COPIED ON ALL MARINE ADVISORY VOTES REGARDING PIER REGULATION.

3) Old Business

c) Harborside Pier Concerns Update

As noted above, the Department of Environmental Protection (DEP) found for Edgartown public access around the Harborside (see 6/22/16 Minutes p. 1 #3b). The ruling was triggered by a “change in use” from hotel to condominium. The Committee discussed the location and extent of the walkways. The DEP was also in court regarding the Reeve wharf.

d) Water Surface Zoning Bylaws

The Planning Board was drafting zoning pertaining to houseboats, etc.

b) Fisherman’s Landing Kayak Rack Proposal

During the 1950s the Hendersons and the Jacksons each generously gave the Town a 15 ft. easement for commercial fishermen and shellfishers, now called Fisherman’s Landing. The number of moorings had been stable for 20 years but burgeoning use by private boats had turned the Landing into dinghy chaos, sometimes pulled up three deep, with people having to drag their dinghies around others left in their way. A small group of users had consequently proposed a dinghy rack and Ed Stevens was available by phone to answer any questions. The Committee noted a number of complex issues.

- The proposed rack was mostly on Jackson property, raising permission and permit questions. Although the family continued the easement, on the advice of their legal counsel they retained ownership of the land despite Town negotiations.
 - Access could be restricted to mooring holders and commercial fishermen/shellfishers. However how many slots would be provided for how many moorings and lack of Town ownership raised concerns over who would pay for construction, maintenance and liability insurance as well as who would manage/enforce the area. Harbormaster Charlie Blair was not willing to fund the rack since there were much more urgent bulkhead needs going begging.
 - The Harbor Plan specifically forbade rack storage—but the intent was to outlaw huge derrick racks that stacked yachts.
 - The proposal was inspired by the Sengekontacket Boulevard Landing kayak racks donated by Friends of Sengekontacket that had improved and cleaned up the area. However a dinghy rack was materially different, supporting heavier and larger vessels (zodiacs, griffins, etc.) that were harder to handle and lift.
 - The ConCom requested the rack be moved slightly to preserve vegetation and the Committee discussed eliminating the third level of dinghies as interfering with the view.
 - The Committee also discussed other dinghy racks, setting precedent, and people who just owned a dinghy (i.e. no boat to go with it).
 - In general it was considered a “large can of worms” and consequently
- *SCOTT MORGAN MOVED TO TABLE THE MATTER; ED HANDY SECONDED; MOTION PASSED UNANIMOUSLY: 3 AYES, 0 NAYS, 0 ABSTENTIONS* (see below: Actions).

4) Harbormaster Update - None

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5) Dredge Committee Representative Report

The dredge season had started. Cow Bay elected not to buy the sand. Eel Pond material would go to Fuller Street Beach and the season would finish with the Katama Landing channel around January 15, 2017.

- The Dredge Committee decided to contract with CLE for permitting to dredge the spit across from the Lighthouse.

6) New Business/Public Comment - None

7) Committee Business

a) Approve of Minutes (10/12/16)

• *SCOTT MORGAN MOVED TO APPROVE THE OCTOBER 12, 2016 MINUTES; ED HANDY SECONDED: MOTION PASSED: 5 AYES, 0 NAYS, 0 ABSTENTIONS.*

8) Adjourn

• *The meeting adjourned at 4:11PM.*

Documents on File

- Agenda 11/9/16
- Sign In Sheet 11/9/16
- Katama Dinghy Storage Association (7 p.) 9/29/16

Actions:

- Harbor Plan Update
 - JoAnn Taylor - draft the Expanded Implementation Report.
 - Georgiana - draft Harbor Plan/Expanded Implementation Report table of contents.
 - Bruce - keep in touch with JoAnn and post a Harbor Planning Group meeting.
- Dinghy Rack
 - Steve - continue the conversation with Mr. Jackson
 - Jane - ask the dinghy rack group who will pay for the it.
- Marni - cc Planning Bd. on all Marine Advisory votes on piers.