

**Edgartown Marine Advisory Committee**  
**Town Hall**  
**Minutes**

**Date:** March 11, 2020

**Members Present:** Bruce McIntosh, Scott Morgan,

**Other people present:** Charlie Blair – Harbor Master, Stephen Warriner,  
Paul Bagnall, Ryan Smith – Shellfish  
Steve Ewing – Aquamarine Dockbuilders  
Chris Kennedy – TTOR,  
Kara Shemeth – Schofield, Barbini & Hoehn  
Marni Lipke - Recorder

**Next Meeting Date:** TBD

**Meeting Opened:** 4:05PM

**1) Call to Order**

**2) Harborside Inn Condominium Waterfront Access Court Case**

(See 1/15/20 Minutes p.1 #2.)

- Town Administrator James Hagerty reported the case was still with the lawyers.

**3) Discussion and Planning re: Removal of Sea Saw from Edgartown Waters – Harbormaster, Steve Ewing, Sam Kistler (see Minutes: 12/4/19 p.1-2 #3, 1/15/20 p.1 #3, 2/12/20 Minutes p.1 #3)**

The boat was still afloat. Everyone related to the Committee who met Mr. Kistler had told him to report to a meeting. There was a rumor that he had unloaded a new motor.

**4) Dockwa Proposal – Harbormaster Charlie Blair**

The proposal would be tabled pending a more reasonable contract re: the Town financial share.

**5) Cape Pogue Preservation Discussion–Harbormaster Charlie Blair, Shellfish Constable Paul Bagnall, Conservation Agent Jane Varkonda, The Trustees of Reservation (TTOR)**

(See below: Actions & Minutes: 11/13/19 p.2 #4 & 12/4/29 p.2 #5. 1/15/20 p.2 #5, 2/12/20 p. 1-3 #5.)

- Previous discussions were reviewed and highlighted:
  - up to 159 boats anchoring in a day;
  - regulations requiring kiteboarders (board & sail) to be 200 meters from nesting areas;
  - The Trustees of Reservation (TTOR) enforcement of no beach landings, restricted to land enforcement only (rare species fatality incidents);
  - headway speed and anchoring in eelgrass restrictions;
  - eelgrass status and protection, including shellfish dragging;
  - locals use of the beach;
  - lack of boat heads and pollution throughout Cape Pogue.

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- Current developments were discussed and decided as follows.
- TTOR would hire a ranger to patrol the area 8 hours/day, 7 days/week.
- TTOR beach signage would include: no landing on beach or private property, kiteboarding restrictions, and no dogs.
- Anchoring in a designated area that could accommodate about 20-30 boats would be on a first-come-first-serve basis.
- Landings would require TTOR membership (family membership \$67/yr. 2 adults, children and \$5 per guest).
- TTOR did not allow commercial use of property (eliminating charters and kiteboarding schools).
- Water-based enforcement would be the responsibility of the Harbormaster (who would patrol twice a day) and some help from the Shellfish constables. The Edgartown Police would not be running patrols. The new Environmental Police Officer (EPO) assigned to the Island was likely to be stretched thin. (Asking volunteers or beachgoers to help was not practicable given the often obstreperous “frat party” atmosphere.)
- Signage at the entrance would include: “Headway Speed within the Gut” “Eelgrass Habitat Restoration Project No Anchoring in Pond Except for Active Shellfishing”. The Gut might be marked with buoys.
- The new regulations would be publicized starting the end of April by brochure, email blasts and internet to: kiteboarder contacts, harbormaster meetings, Town and marine websites on Cape Cod and the Islands.
- It was agreed that these measures were reluctantly instigated to address a difficult, uncontrolled situation, and that this was not the end of the conversation, which would be a continuing agenda item.

**10) Items Not Reasonably Anticipated by the Chair**

- Kara Shemeth of Schofield, Barbini & Hoehn reported she was starting the licensing process for a pier and walkway in Sengekontacket Pond at the end of Earl Ave. It would replace a jetty in disrepair and 2 old posts and would extend 10-15 ft. into the water for kayak access. The project would go before the Conservation Commission (ConCom) for light penetration access over marshland. The owner was Doug Tase who had a commercial marine license for a drive/sail that would be kept in his driveway every night. Harbormaster Charlie Blair approved the proposal.
- *BRUCE MCINTOSH MOVED TO ENDORSE THE TASE PIER AND WALKWAY IN SENGEKONTACKET POND; SCOTT MORGAN SECONDED; MOTION PASSED UNANIMOUSLY: 2 AYES, 0 NAYS, 0 ABSTENTIONS.*
- Ryan Smith was getting his Coast Guard license to run tours of his oyster farm—Martha's Vineyard Shellfish Group (MVSG) tours were very successful. The boat would have the required safety gear and proof of insurance.
- *BRUCE MCINTOSH MOVED TO ENDORSE A COMMERCIAL MARINE LICENSE FOR RYAN SMITH TO RUN TOURS OF HIS OYSTER FARM; SCOTT MORGAN SECONDED; MOTION PASSED UNANIMOUSLY: 2 AYES, 0 NAYS, 0 ABSTENTIONS.*

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**5) Committee Business**

**a) Approval of Minutes (1/15/20, 2/12/20)**

• *BRUCE MCINTOSH MOVED TO APPROVE THE JANUARY 15, 2020 AND FEBRUARY 12, 2020 MINUTES; SCOTT MORGAN SECONDED; MOTION PASSED UNANIMOUSLY: 2 AYES, 0 NAYS, 0 ABSTENTIONS.*

**7) Old Business** (*as needed*) - None

**8) Dredge Committee Representative Report** - None

**9) New Business/Public Comment** – None

**11) Adjournment**

*BRUCE MCINTOSH MOVED TO ADJOURN 4:56PM; SCOTT MORGAN SECONDED; MOTION PASSED UNANIMOUSLY.*

**Actions:**

- Scott – draft card and brochure including “protect our wildlife” for April distribution.
- Scott/Charlie – plan social media notifications, contact press, public service announcements.

**Documents on File**

- Agenda 3/11/20
- Varkonda email re: Harborside Inn 3/9/20

Additional Notes

While people were gathered, Scott Morgan requested feedback on his idea to start high-end catered yacht tours, describing pricing, plans and protocols. Feedback was encouraging.