



Town of Edgartown Fisherman's Landing Stewardship Committee Meeting Minutes

October 22nd, 2021

I. CALL TO ORDER:

The virtual meeting of the Fisherman's Landing Stewardship Committee (FLSC) was called to order at 10:30am on Friday, October 22nd, 2021.

II. ROLL CALL:

The following persons were present:

Members: Peter Vincent, Steve Ewing, Ken Michel, Jane Varkonda, Tony Mignanelli, Charlie Blair

Abutters: Jodi Landau, Joe Sieber, Eric Caplan

III. OPEN ISSUES:

- a) The Committee discussed the draft Rules & Regulations.

A suggestion was made to add the word "sticker" after permit to read "parking is by permit sticker only". Charlie clarified that you do not have to be a resident of Edgartown to get a sticker, any fisherman can get one. Charlie stated that he doesn't think the stickers should be limited when the nine parking spaces limit by default. Steve responded that the goal is to limit use of the area to those who have a mooring; the ramp at the Katama landing is for everyone else's use; this area is not for full public access but a limited and controlled public access. Charlie then asked why the town needs more land. Steve stated to store dinghies and accommodate more parking. Ken said the only way to get a parking sticker would be to have a mooring permit – who those people are can be determined later. Peter followed up by saying this topic requires some more discussion.

The Committee then discussed who would enforce the parking restrictions and ticket vehicles parked without a sticker. Jane stated that she has the authority to issue tickets, as does the Shellfish Dept, and the Police. Charlie said it has to be the police that ticket. Jane responded that she is authorized under the Conservation Act.

Peter suggested adding "Use of the Property is limited to the Following:" at the top of the Rules & Regulations.

- b) The Committee then discussed the issue of dinghies being left behind. Charlie stated that if a dinghy has a sticker, he at least has the contact information of the owner. As soon as he removes a dinghy from the landing, he is responsible for them but has nowhere to store them. He said there are also many that seem abandoned; he would much rather compel owners to retrieve their own dinghies than to risk being sued for removing private property. Dinghy stickers can be issued through the mooring permit renewal process. Tony suggested the possibility of involving a third party to remove dinghies, like a tow company for vehicles, and that maybe the local boatyards could help with this. Charlie said that requiring stickers will eliminate a lot of the kayaks. The Committee discussed including the new Rules & Regulations in a mailing of some kind.

- c) The Committee also discussed how many vehicles per mooring should be eligible for a sticker. Charlie said that it didn't matter if there are a limited number of parking spots but thinks sticker enforcement on a regular basis is going to be an issue. Jane stated that she is not authorized to contact a tow company, the Police would have to do that. Steve suggested that the Police Chief should be involved in the discussion, right now the Committee is only concerned with providing a framework, not solutions. Steve thinks that a network of local people can help regulate the area and can contact Jane when there are unstickered cars. If even a few cars get towed, people will know about it.
- d) Steve also said the Committee needs to put something together to share with Mr. Erhard that shows the Committee is doing its due diligence with this and taking it seriously.
- e) Mr. Caplan asked about bicyclists; Peter stated that there is a bike rack on the plan.
- f) Charlie told the Committee that if they want to truly get the area organized, they're going to need a gate. He suggested not offering any parking at all, and only allowing people to drop off/pick-up. He also was firmly against building racks for the dinghies; he said they're a mess at the Sengecontactet Landing and people don't remove them. Steve responded that the use at Senge is not limited, anyone on the island can leave a kayak there. Fisherman's Landing will be regulated, which makes it different. Charlie responded that it all comes down to enforcement, if there's not someone there all the time, it won't work.
- g) The Committee discussed whether outhauls should be allowed. [An outhaul is a mooring on the beach with a line that allows someone to pull in a boat.] Charlie stated that he is against outhauls. Jane said the idea is meant to continue to allow fishermen who already do this to continue. Charlie said that outhaul permits at the Gardner property are \$200, perhaps a fee could be implemented at Fisherman's Landing too. Steve stated that the fees are waived for commercial fishermen and he doesn't think it's necessary to charge them. Peter agreed. Tony asked why it says that fishermen are exempt from the May-November season. Peter responded that fishermen's operations are year round. Mr. Sieber suggested adding the word "commercial" before shell fishermen too. Ken suggested moving the May-November usage to the top of the Rules & Regs, the Committee agreed. A suggestion was made to change the word "recreating" to "other recreational activities". Ms. Landau suggested adding "Fisherman's" before landing at the end of the violations section. Mr. Caplan suggested adding some language regarding damage to property and the potential for criminal prosecution. Jane said she would add "other legal action" as a catchall. Tony requested that the updated draft be circulated amongst the Committee members for review.
- h) The Committee then discussed the Landscape Plan.
Ken comments were that the dinghy rack had been removed from the beach on the updated plan and there are no species of plants specified, the plan simply calls for "native species". The height of any new trees is also not specified as that will part of the permitting process.
The Committee discussed the area without racks for dinghies. Tony suggested cutting back some of the existing vegetation to make more room for storage. Jane said there would not be a problem cutting back the brush to where the existing signs are.
- i) Tony asked when the Town would receive the land. Steve said the donor intends to give 50 feet of beach frontage but is getting some pushback from the other abutter who wants less land given [from his property] to the Town. Steve said the Committee needs to show Mr. Erhard the plans, including plantings and specific uses of the space, so he can review.

- j) The Committee then discussed the appropriate terminology for the transaction. Mr. Erhard is not giving the Town an easement to this land, he is deeding the land to the Town. Steve responded that he was using the term “easement” generically, the details of the transaction have not been finalized. The Committee then went on to discuss the permit application process and whether they have to apply if the Town owns the land. Jane stated, yes, the Town will apply to itself. Ken stated that it’s been his understanding from the start that this is a donation of land, not an easement. The Committee decided to send Mr. Erhard the current Landscape Plan and draft Rules & Regulations for his review and comment, and to invite him to the next meeting if he has any questions or concerns. Charlie stated that the word “easement” should be removed from the Landscape Plan since it’s a gift, not an easement.
- k) Mr. Sieber then asked the Committee if the trees between the parking area and the turnaround could be removed as it would be beneficial to the abutters’ vista. Steve said that any tree that had managed to grow more than 20 feet tall should be allowed to live; he said some pruning can be done but if it’s hard wood, it should stay. Jane said she was very cautious/leery of offering a view easement on public property; she said the Town does not accommodate private property owner’s wishes to cut down trees. Mr. Sieber stated that, with this plan, the Town is actively planting trees that will take value away from his property and asked why 20-30ft trees needed to be planted, when 6-8 foot trees would be better for the abutters. Jane responded that this was not a conversation for this Committee to have at this time and that she was not going to set a precedent for future situations.
- l) The Committee decided to meet again on 11/5/21 at 10:00am.

A motion to adjourn was made and seconded. The meeting adjourned at 11:40am.

Minutes submitted by: Juliet Mulinare