

Edgartown Marine Advisory Committee
Town Hall
Minutes

Date: October 9, 2019

Members Present: Bruce McIntosh, Scott Morgan, Martin Skip Tomassian
Ed Handy - Alternate

Other people present: Charlie Blair – Harbor Master,
Steve Ewing, Niko Ewing – Aquamarine Dockbuilders
Kara Shemeth – Schofield, Barbini & Hoehn
Lawther O. Smith

Next Meeting Date: 4:30PM, Tuesday, October 15, 2019

Meeting Opened: 5:04PM

1) Call to Order

(Recorder's Note: Discussions have been summarized and grouped for clarity and brevity.)

2) Harborside Inn Condominium Waterfront Access Court Case

(See documents on file & Minutes: 11/20/13 p.1-2 #2, & 10/24/18 p.1 #2 & 12/19/18 p.1-2 #3.)

Steve Ewing, having heard about the long-running court case, researched and proposed a compromise to Harborside management, William Young. Mr. Ewing acknowledged Harborside resistance and wish to preserve privacy but also noted public waterfront access rights. The proposal was to extend public access around the old concrete boat ramp and construct an elevated 13 ft. 8 in. by 24 ft. deck with benches and planters. This would preserve the Conservation Commission (ConCom) approved rosa rugosa environmental buffering as well as replacing a dead-ended walkway with a vista destination. The Committee discussed:

- location and access;
 - restaurant tables restricting other parts of the walkway;
 - the history of the: bulkhead, Town access, and beach;
 - State law on tidal filled land;
 - ceding State land through short or long-term leases (not purchase) for example: mooring leases;
 - Harborside willingness to accept the compromise;
 - substantial legal, time and energy spending on the court case;
 - construction financed by the Harborside.
- The Committee expressed its gratitude to Mr. Ewing for taking the initiative.
 - IT WAS THE CONSENSUS OF THE EDGARTOWN MARINE ADVISORY BOARD TO SCHEDULE A SITE VISIT.

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3) 18 Caleb Pond Rd. (Goldstein) Permit for a New Dock

– *Agent Schofield Barbini & Hoehn*

This Chappaquiddick family owned two lots and was looking to construct a new pier to the faired pier line (117 ft.) with a 50 ft. T with new steps, nine downward facing lights, power and water. Other piers were 222 ft. away to the south and 320 ft. to the north. This was a preliminary presentation the abutters had not yet been notified.

• IT WAS THE CONSENSUS OF THE EDGARTOWN MARINE ADVISORY BOARD TO SCHEDULE A SITE VISIT.

4) Anderle Extension of Existing Dock

The location was not far from the Downharbor States pier. The request was to replace the old pier and extend it to the faired pier line moving it a little further from the property line. The Committee discussed:

- water depth (sounded at about 4-5 ft. at low tide) in relation to other piers in the adjoining area (see 6/25/14 Minutes p.1 #1);
- but rejected a brief speculation on re-engineering the faired pier line.

• IT WAS THE CONSENSUS OF THE EDGARTOWN MARINE ADVISORY BOARD TO SCHEDULE A SITE VISIT IN CONJUNCTION WITH THE CONSERVATION COMMISSION.

(The boardwalk over a swampy area could be rebuilt and Steve Ewing briefly described foundation options: Helix axis or posts and butterfly brackets but this was deemed ConCom purview.)

5) 123 N. Water Trust (Smith) – Commercial Rental of Existing Dock

An application was submitted in July for a commercial marine permit for the existing dock. Lawther Smith expected to accommodate about 7 or 8 boats (less than 10), which Harbormaster Charlie Blaine stated would be a welcome addition to the Harbor. Mr. Smith had requested an estimate to remove exposed cable and black plastic pipe that littered the beach area, so Steve Ewing was researching ownership before proceeding.

• *MARTIN SKIP TOMASSIAN MOVED TO RECOMMEND THE BOARD OF SELECTMEN APPROVE A COMMERCIAL MARINE PERMIT TO 123 NORTH WATER STREET TRUST; BRUCE MACINTOSH SECONDED; MOTION PASSED UNANIMOUSLY: 3 AYES, 0 NAYS, 0 ABSTENTIONS.*

• The Committee referred Mr. Smith to Conservation agent Jane Varkonda for his phragmites problem.

6) Old Business

b) Mooring Regulations Amendment Discussion

The Committee agreed to review/recommend regulations during the fall/winter season.

7) Harbormaster Update – Tabled

8) Dredge Committee Representative Report

The Dredge would mine the Sengekontacket borrow area for 16,000 cu. yd. of sand to

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sell to Oak Bluffs at \$18 per cu. yd. for beach renourishment. 4-5,000 cu. yd. would be mined for Fuller St. Beach renourishment.

9) New Business/Public Comment - None

11) Items Not Reasonably Anticipated by the Chair

Schofield, Barbini & Hoehn agent Kara Shemeth requested an extension of an existing pier at 18 Bayside Street (Stanton) with a 24 ft. by 5 ft. L and a 10 ft. x 6 ft. float. The Committee viewed the proposed work (see documents on file) and found it satisfactory.

• MARTIN SKIP TOMASSIAN MOVED TO RECOMMEND THE CONSERVATION COMMISSION APPROVE THE EXTENSION OF THE PIER AT 18 BAYSIDE STREET AS PRESENTED; BRUCE MACINTOSH SECONDED; MOTION PASSED UNANIMOUSLY: 3 AYES, 0 NAYS, 0 ABSTENTIONS.

10) Committee Business

a) Approval of Minutes (6/26/19)

• BRUCE MCINTOSH MOVED TO APPROVE THE JUNE 26, 2019 MINUTES; MARTIN SKIP TOMASSIAN SECONDED; MOTION PASSED: 3 AYES, 0 NAYS, 0 ABSTENTIONS.

b) Reorganization - Tabled

12) Adjournment

BRUCE MCINTOSH MOVED TO ADJOURN 5:58PM; MARTIN SKIP TOMASSIAN SECONDED; MOTION PASSED UNANIMOUSLY.

Actions:

- Scott – schedule site visits for Goldstein & Anderle w/ConCom
- Marni – post Harborside site visit.

Documents on File

- Agenda 10/9/19
- Sign In Sheet 10/9/19
- Site Plan prepared for 2 Main Street, LLC 2/15/08
 - Edgartown Harbor plan
 - 3 sketches proposed walkway/deck
- CAI Technologies satellite view: 18 Caleb's Pond LLC 10/1/19
- Draft of Proposed Pier in Edgartown Harbor 18 Caleb's Pond, LLC 10/1/19
- CAI Technologies satellite view: Stanton 10/1/19
- Plan to Accompany a Petition by Daniel W. & Mary B. Stanton (2 p.) 6/3/19
- Beery email re: Kiteboarding School Regulations (2 p.) 6/28/19
- Begle email re: Commercial Kiteboarding Regulations 6/28/19