

**Edgartown Marine Advisory Committee  
Town Hall**

**Minutes**

**Date:** February 22, 2017

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

**Other people present:** Charlie Blair – Harbormaster, Steve Ewing,  
Shellfish Constable Paul Bagnall,  
Edg. Yacht Club Manager – Bill Roman  
Agent – Dick Barbini

**Next Meeting Date:** March 8, 2016

**Meeting Opened:** 3:05PM

**1) Call to Order**

**2) Edgartown Yacht Club Wharf Replacement Update – *Bill Roman***

- As a member of the Edgartown Yacht Club, Martin Skip Tomassian asked permission to sit in on the conversation but recused himself from all votes—Alternate Ed Handy voting instead.
- The deteriorating 60 yr. old existing creosoted pile and timber structure was increasingly difficult to maintain and flooded with big tides. The current plan (to begin construction September 2018 for completion by summer 2019) included the following features:
  - demolish and remove old foundations,
  - replace with 14 in. and 24 in. steel pipe spiles and steel beam understructure,
  - raise the wharf structure 2 ft. to reduce flooding but maintain structure height in keeping with historic Town center (vs. Federal Emergency Management Agency (FEMA) 10 ft. estimated guidelines);
  - extra consideration given to water surface footprint to reduce existing bottle necks;
  - square off string face and provide entrance/egress access to boats;
  - slightly decrease anchor deck with overhangs,
  - change to float systems: one on north side of Club wharf, and smaller floats on the other side to ease congestion— with ramp/stair access to higher wharf;
  - retain two existing structures: the snack bar (rebuilt 15 yrs. ago) and the ‘sacred’ Clubhouse;
  - replace all other structures/buildings: wharf, kitchen, storage, offices;
  - slightly increase size of kitchen (old bunkhouse) with offices above;
  - provide three exits (now only one narrow Clubhouse egress) and insure 3 ft. clear span all around for wheelchair accessibility, — negotiated with abutter willing to provide emergency-only egress right-of-way);

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- The Committee asked about a number of issues.  
There was some concern regarding dinghy/boat rafting but Mr. Roman explained the Harborside was a cooperative neighbor and coordinated with the Club on boat space.
- The Club had challenged the engineers on the delicate issue of whether the 2 ft. height increase could be maintained in the face of FEMA mandates. There was only one instance of higher flooding in the last 60 yrs.
- Harbormaster Charlie Blair, also a member of the Yacht Club, felt the new plan was better than the current structure, cutting back on the large obsolete floats and making a substantial difference in traffic flow. In addition the new floats gave much safer access to the hard dock.
- The steel piles would not be visible from the water unless an observer peered around the traditional wood pilings. The Committee requested an artist's rendering or elevation drawing of the project.
- The Clubhouse would be jacked up and the demolition, removal and new foundation work would be done underwater.
- This was a preliminary update on the project as some of the new building details were still in process. The Yacht Club would now go before the: Conservation Commission, Planning Board, Historic Commission and Army Corps of Engineers.
- *SCOTT MORGAN MOVED TO SUPPORT THE EDGARTOWN YACHT CLUB PROJECT AS PROPOSED TO THE MARINE ADVISORY COMMITTEE, REALIZING IT IS A PRELIMINARY STAGE PIER PLAN DATED FEBRUARY 21, 2017, UNDERSTANDING THE YACHT CLUB WILL RETURN WITH ANY MAJOR NEW PROVISIONS OR CHANGES; ED HANDY SECONDED; MOTION PASSED: 5 AYES, 0 NAYS, 0 ABSTENTIONS – MARTIN TOMASSIAN RECUSED.*
- Thanks were exchanged all around.

**3) Schifter/Leland Poucha Pond Testing – Paul Bagnall**

(See Minutes 4/10/13 p.1-2 #1, 11/4/15 p.2 #5C & 4/13/16 p.2 #b.)

- Shellfish Constable Paul Bagnall reviewed the case briefly
- An original Martha's Vineyard Commission (MVC) District of Regional Impact (DRI) order to test Poucha Pond water quality in anticipation of subdivision was never carried out and the lot stayed in the Leland family for 17 years.
  - On its sale to Schifter in 2013 the MVC issued a new order to escrow \$100,000 to insure testing was completed. Edgartown proposed spending the funds on water sampling equipment to allow the Town to comprehensively monitor water quality on an ongoing basis, however the DRI order referred to Poucha Pond only.
  - After considerable contention the Woods Hole Group ran the first testing in winter 2015, which Mr. Bagnall rejected as faulty and mistimed. The tests were run again in September 2016.
  - The Board of Health had signed off on groundwater testing.

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- The Town Manager was eager to close the issue and release the remainder of the money. Paul Bagnall was dubious about the Schifter haste especially in view of their 2-3 year delay in testing and history of pushing Town permit procedures.
- The Shellfish Committee asked for written MVC release but it was a difficult subject since the Town had not properly referred the Schifter house move nor enforced the original DRI, so the MVC referred the matter back to the Town. Paul Bagnall was not satisfied but at this point considered further pressure not worth the results. In fairness he pointed out the original order was for water sampling (but not telemetry) to monitor the impact of a subdivision that had not taken place.
- The Committee thanked him for his synopsis and asked what action he proposed.
  - It was strongly recommended that the remainder of the escrow be placed at the disposal of the Shellfish Department to continue water quality testing.
  - *MARTIN TOMASSIAN MOVED THAT THE MARINE ADVISORY COMMITTEE SUPPORT THE RETURN OF THE REMAINDER OF THE MONEY; SCOTT MORGAN SECONDED; MOTION PASSED UNANIMOUSLY: 3 AYES, 0 NAYS, 0 ABSTENTIONS.*

**4) Mooring Regulations Amendment Discussion – Steve Ewing/Charlie Blair**

(See documents on file & 12/14/16 Minutes p.1-2 #6.)

The revised and original Regulations were distributed for member review and comment. Steve Ewing proposed an amendment that would affect 84 moorings—18 on Chappaquiddick and 66 in Edgartown. Although not perfectly equitable, it was designed to improve fairness. It was emphasized that ultimately moorings remained at the discretion of the Harbormaster, especially in terms of boat size, draft, etc.

- Currently an owner could sell his property but retain rights to the adjacent mooring in perpetuity. Moorings were not commodities (although they increased the land value), and it was judged better to have them stay with the adjacent property as it was bought or sold.
- The proposal was to change the status of adjacent property moorings to seasonal. A new buyer of the property would get priority seasonal rights to use the adjacent mooring. Their name would be placed at the bottom of the Wait List and they would pay the seasonal mooring fee (\$2,000/yr.) until their name reached the top of the List.
- The Harbormaster committed to find another mooring for the original property owner (who still had rights to a mooring).
  - Scott Morgan strongly objected to the continued bias towards wealthy landowners at the expense of many wait-listed boat owners who couldn't afford waterfront properties. The Committee discussed a number of issues:
    - Real estate tax revenue from one waterfront property was often greater than the total Town boat excise tax revenue.
    - Mooring holders were not restricted either to Town or Massachusetts residents.
    - Most Islanders obtained commercial fishing licenses, which superseded the Wait List.
    - There were 744 on the List of which 400 were for the Inner Harbor.
    - Many moorings were essentially used as storm moorings, mostly left vacant and as such rented as nightly or weekly moorings by the Harbormaster.

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**5) Old Business (as needed)**

**a) Katama Boat Ramp Update**

There was nothing new to report. The design funding had been recommended by the Community Preservation Committee (CPC) (see 9/28/16 Minutes p.2 #4a). The ramp was currently unusable.

**b) Fisherman's Landing Dinghy Rack**

The project was at a standstill since it was private property and no Town funding was committed.

**7) Dredge Committee Representative Report**

The dredge season was very successful. Fuller Street and Bend-in-the-Road beaches were generously re-nourished and material sold to Cow Bay and Malone. One of the permits was put in jeopardy when the Army Corps of Engineers discovered eelgrass.

**9) Committee Business**

**a) Approval of Minutes (1/8/17)**

• *MARTIN SKIP TOMASSIAN MOVED TO APPROVE THE JANUARY 8, 2017 MINUTES AS TYPED BY MARNI LIPKE; SCOTT MORGAN SECONDED; MOTION PASSED: 3 AYES, 0 NAYS, 0 ABSTENTIONS.*

**10) Adjournment**

• *Chair Bruce McIntosh adjourned the meeting at 4:58PM.*

**Documents on File**

- Agenda 2/22/17
- Pier Rehabilitation Edgartown Yacht Club Martha's Vineyard Pier Plans 2/21/17
- Edgartown Mooring Regulations (*existing*) (7 p.) 9/30/13
- Edgartown Mooring Regulations (*proposed*) (6 p.)
- Proposed Edgartown Mooring Changes (6 p.)

**Actions:**

- Bruce/Marni – draft and send letter re: Leland/Schifter.
- All - save all Harbor Regulation comments for open meeting (i.e. do not email).
- Skip - invite Harborside Property Manager to next Marine Advisory meeting.
- Marni – cc: Planning Bd. on all Marine Advisory votes on piers.