

Minutes of Joint Meeting

Harbor Committee Mtg convened at Board of Selectmen Mtg

Judge Welsh Hearing Room, Town Hall

Monday, November 9, 2015, 6pm

Meeting Called to Order at 8:10pm by Chairman Santos.

- I. Members present: John Santos, Laura Ludwig, Victor Seltsam, Susan Avellar; Rex McKinsey (staff). Elise Cozzi and David Flattery (members) excused.
- II. Committee was asked by BOS to discuss and possibly take votes on two issues — Houseboats in the Harbor and Kayak Rack Development. The committee presented the BOS with printed supporting materials regarding the background of each of the issues, and with recommendations for proposed regulation language.

Overview of Harbor Committee Items

Prior to discussion, John stated his potential conflict of interest with the Houseboat items given his ownership of moorings and houseboats. Selectman Richter also recused himself from discussion due to his business partner's ownership of a houseboat.

Rex suggested the BOS hold a Public Hearing regarding the recommendations made by the Harbor Committee. He reviewed the history of each issue and other requests from by BOS to the committee, including: agreement on a definition of houseboats; accommodation of language for certified notice for kayak removal; late permit fees and kayak removal fees; and mooring fees tied to the Consumer Price Index (CPI) to facilitate maintenance of those fees.

At this time Rex also recommended a reconsideration of "jet ski" (aka PWC, personal watercraft) regulations given that both the machine and its usage have shifted since the regulations were first issued; and would like to bring the matter to Town Meeting. Selectman Anthony asked if the regulations when implemented were considered a "rental" by-law, but Rex informed him that the rental business pre-existed with its own regulations.

Kayak Racks

Harbor Committee requested \$15k from the Harbor Access Fund to build and install additional racks. Selectman Anthony asked where the additional rack at the West End lot would be. John responded it would not likely be there, instead they would be spread around time (per Harbor-master's Background and Discussion memo). Selectman Donegan asked about enforcement on the West End lot. Rex reported that the kayak rack is filled, and most cinderblocks (anchoring blocks) had been removed. Beach space was still constrained, however, by other boats.

Victor stated that the Ryder St. area could accommodate 60-70 kayaks and that rack designs have been made to fit each area. Racks will be on-site by next season and charts of their locations will be made available. The sticker costs will cover administration of the program eventually but HAF are needed to jump start the production.

Rex recommended advertising a Public Hearing to put the measures through. Selectman Andrews reminded the committee that the original complaint was lost access to the beach, and that it was still unclear whether enforcement actions were being taken. Rex reported that come

November 15th, calls would be made to owners of any extant beached boats, and then the enforcement would continue from there as necessary.

Selectman Andrews moved to approve the committee's request for Harbor Access Funds and the Board approved.

Mooring Fees

Selectman Donegan asked how Provincetown's mooring fees compared to other towns. Research by the committee and the Harbormaster's office shows that they are on par or lower than most Cape Cod towns. BOS is interested in having users pay their fair share so that the burden is not on the taxpayer, and requested a breakdown comparing mooring rates on the Cape. Harbormaster's office will provide the breakdown. John reminded everyone that a private mooring does not cost the town anything. The BOS noted that the Harbormaster's budget was just increased by \$85k and they want to make sure fees and costs are in balance. There is a sense that our mooring fees seem low and several selectmen did not like the idea of tying them to CPI. Selectman Yingling thinks they ought to be higher, wondered when the last time they were raised, and proposed they are raised at least 25%. John Santos reminded the Board that Provincetown provides no marina services. If fees are raised, he suggested that the town might want to provide a changing room, a shower and a launch for visitors.

There currently is no waiting list for moorings, though some are owned and unused. Over 400 mooring permits are issued by the town, and there are two private companies renting 220 more. Private mooring companies pay the town \$150/mooring. The Town Manager asked that we look at which services are tied to the mooring fees.

Selectman Richter made a motion that the Harbor Committee present a mooring permits report to the BOS. The Harbormaster will work with the Town Manager to produce the report. The motion passed.

Houseboats

Selectman Andrews asked about the definition for houseboats and suggested the regulation (3-1-8) needs to include the word "live-aboard". She feels that there could be an uptick in rental houseboats and wants the town to be prepared. She recommends tightening the language regarding insurance regulations for houseboats, especially for those which are rented, and further suggested including clauses regarding required equipment (e.g. fire extinguishers, second egress, holding tank, pump-out contract). Rex responded that those requirements are already in place with other regulatory agencies, and will provide documentation to the BOS and at TM.

Discussion ensued about whether a rented houseboat is considered a recreational or commercial venture. It was noted that the conditions in Provincetown are such that a proliferation of houseboats would be unlikely (bad weather, lack of infrastructure and services, etc.).

Harbor Committee Meeting was adjourned at 9:02pm.