

Public Meeting
HARBOR COMMITTEE
Wednesday October 12, 2005

Caucus Hall
Time: 4:30 pm

Members Present: Kerry Adams, Alice Brock, Heather Bruce, Ann Colbourn, and Gerard Irmer.

Members Absent: Mel Cote (excused absence)

Advisory Staff: Rex McKinsey (arrived at 5:25 p.m.)

The meeting was called to order at 4:30 p.m.

AGENDA

Review/amend/approve minutes

Motion: Approve the minutes of the June 27th meeting as read.

Motion by Kerry Adams Seconded by Alice Brock Vote 3-0-0.

Motion: Approve the minutes of the September 26th meeting with the following changes..... Heather had comments regarding secondary goals under 1st pgh of Review of Chapter 91 and in the next pgh cross out Appendix C because it is to be fixed later.

Motion by Alice Brock Seconded by Kerry Adams Voted 4-0-0.

Motion: Accept the minutes of the September 28th meeting with the following changes:

- 1. Jerry Irmer wanted to add that Massachusetts owns the pump-out boat and doesn't allow it to pump out commercial vessels.**
- 2. The HC doesn't know if the Provincia is hooked up to the sewer.**
- 3. The word "aforementioned" was misunderstood thus it was not immediately known who Brian Dudley was. (Affiliated w/DEP)**
- 4. Heather wished to add: the state has been using the 1996 findings that actually negate the 1978 regulations for amnesty.**

Motion by Kerry Adams Seconded by Ann Colbourn Voted 5-0-0.

Alice Brock then said that she wants all the editorial comments removed which are made by the recording secretary. She also wants every motion recorded whether they are seconded or not. (That is already being done.)

Public Statements

There were none.

Unfinished Business:

Heather is summarizing a notebook that she handed out. Heather took all the things relevant to the amnesty projects. She is showing the crux of the matter. This presentation was especially hard to

follow since the secretary did not have a copy of what was under discussion.

Now everyone was directed to go to last page in the binder.....

Heather is planning a trip to Boston with her sub-committee who, I'm sure, is known to the Harbor Committee. This sub-committee was evidently formed from a group that was as interested as Heather is in the Chapter 91 amnesty subject.

Kerry told Heather that she has done a lot of work and the HC certainly appreciates what she is doing but if the Harbor Committee could review this it would be even more valuable. Heather said that she had put together a brief summary that appears at the beginning of these 3-ring binders and it will highlight your questions. Jerry – is looking for a summary that we can present to the state. Jerry is annoyed that the sub committee is going to the state and bypassing the Harbor Committee.

Jerry suggested that perhaps at the 1st meeting in December – all this can be presented.

Doug Taylor said that whatever happens should come from the Harbor Committee. Truman Henson has offered to help and Kerry said he needs to do this through the Harbor Committee. Kerry further suggested that Jerry try to get Truman to attend one of our meetings. Heather says she will require at least an hour for this presentation. Ann summed up by saying, “So we’re on a temporary pause until you get the regs?” Doug reiterated, “The chair should be the one to contact Truman.”

Old Business:

There was nothing.

New Business:

Review 2005 Amendments to the Harbor Plan status

That had already been covered.

Board of Health meeting results

Already did that. We are now waiting for a large meeting. We don't have a date for that yet. Rex was then asked how the plans for this joint meeting were progressing. Rex replied, “Because of the BoH shake-up the Harbor Committee may have to take the ball and run with it.” Rex wondered if any member of this committee willing to..... Kerry volunteered. Kerry will nail down a date to get this meeting scheduled.

Any other business that shall properly come before the Committee

Two applications have been received and the Harbor Committee has to make official comments.

Waterways Application Nos. W95-4741-N 371-373 Commercial – Pepi's Wharf.

The state has told the applicant that they have to remove the deck on the back of the restaurant. Provide 4 ft wide walkway down to the beach. Access way shall be of a uniform design and subject to the HC approval. Also add 2 dinghy posts. It was agreed that Jerry will send a letter of approval to the state.

Motion: Approve W95-4741-N as written.

Motion by Jerry Irmer Seconded by Kerry Adams Vote 4-0-1 ab HB

Waterways Application Nos. W96-6045 401A, 387-395A and 397 Commercial Street – Elena Hall's Property

The committee felt that this should be a revised draft. Actually, they're both revised. Rex informed the group that there is also an historic right of way that goes thru the property. Chair should ask Louis

Gitto – if this property is sold does she have to re-apply for a Chapter 91 license?

Jerry will write a letter to Lou Gitto asking the following. Question: if and or when the property is subdivided does the 4 ft walkway still become - the only requisite? – or will the Chapter 91 licenses have to be renegotiated?

Motion: Kerry Adams made a motion for Jerry’s letter to Lou Gitto to state that we are in favor of the waterways application for (above address) with the revised draft conditions requesting an additional special condition that addresses the fact that these are 3 different separate deeded pieces of property. The letter should also ask who pays the compliance fee when and if the property is broken up. Alice Brock seconded the motion. The vote was 4 in favor, 1 against (HB) and 0 abstentions.

Motion: Heather Bruce made an amendment to the motion to include the following wording added to the motion – “this and any other amnestied property may be revisited by owner if changes in amnesty policy are made.”

The above motion by Heather was not seconded thus did not carry.

Jerry asked Rex to address mooring fees..... Rex promised that he will bring something forward in the next month or so.

Next meeting: November 9 at 4:30pm.

Adjournment took place at 6:18 p.m.

Respectfully submitted,

Evelyn Gaudiano

Evelyn Rogers Gaudiano

Approved by _____ on _____, 2005.

Gerard Irmer, Chair