

# Public Meeting

**Thursday, April 16, 2009**

Location: Blue Room  
Community Center,  
44 Bradford Street  
Time: 4:30 pm

**Members present:** Mel Cote, Gerard Irmer, and Phil Scholl  
**Members absent:** Susan Avellar and Marty Huey (both excused)  
**Staff:** Rex McKinsey, excused

## AGENDA

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

Review/amend/approve minutes of 3-19-09

**Motion: Move to approve the minutes as amended.**

**Motion: Mel Cote      Seconded: Phil Scholl      Vote: 3-0-0.**

## **Public Statements**

There were none.

## **Old Business:**

**Latest status of 2-5-09 revisions to the 1999 Harbor Plan re: DEP and CZM.**

E-mails have been sent to the state requesting an answer by April 15<sup>th</sup>. We still haven't heard anything. Because of the delay in the state's response, Jerry has been rescheduled to meet with the Board of Selectmen (BoS) for the May 4<sup>th</sup> meeting.

## **New Business:**

### **Status of NOI for beach cleaning—latest costs for tractor and Beach Rake**

Jerry is scheduled to meet with Russ Kleekamp from Stearns & Wheeler and Brian Carlson, our ConCom agent, on Thursday, April 23<sup>rd</sup> at 10: a.m. The price for the tractor is \$35,120 after the discount. The only addition would be for special tires to enable the tractor to run on the beach. As a point of information, Jerry said that the DPW's mower which would attach to the tractor for highway mowing is \$28,000. The beach rake cost is under \$50,000.

Next Thursday's meeting on the 23<sup>rd</sup> is to get the Notice of Intent moving along. As long as Brian Carlson can do the Letter of Intent it will hasten things.

### **Review Chapt. 91 Application W08-2520-N, 9 Ryder St. Ext., Fisherman's Wharf**

Just as the members of the Harbor Committee began discussing the application, Peter Marcounis (or maybe Krakounis?) from the Woods Hole Group, stopped into the meeting. He had been engaged by Vaughn Cabral and was aiding in mediating an agreement with the state. The members – prior to Peter's arrival – were concerned about cars leaking oil and/or gas. They worried about drains that could take care of it and a few other concerns.

Peter was sorry that they had missed his power point presentation made to the BoS about a month ago. Jerry said that the committee agrees with all the Fisherman's Wharf advantages but the plans they were given shows the location of the old Provincia. Jerry felt that the plans should be redone; Peter said that was happening.

Peter said that the plan will be revised and that everything that was filed with the state was correct. Fisherman's Wharf just wants to maintain it as it is. They will install drains there to collect any run-off and there will be catch basins with filters. This is reflected in the whole application. The state said they're not using it according to the licenses they have; the rules have been changed! Peter said the scenario will be that you have to take them to court eventually but you can't until they render a decision. The BoS supports their application and Sarah Peake, our state representative, supports the application, too.

**Motion: Move that the Harbor Committee supports the existing uses of Fisherman's Wharf which are in compliance with the current harbor plan and we recommend that the plans be changed to reflect the absence of the Provincia and the new drainage improvements in compliance with the best management practices to eliminate and control pollutants so that no pollutants enter the harbor. We also recommend the continuation of public access as well as the remaining of the approximately current 186 parking spaces. This plan is in compliance with the harbor management plan with regard to existing water-dependent and non-water dependent structures, uses, and vehicular parking and public access on and around said wharf.**

**Motion: Mel Cote      Seconded: Phil Scholl      Vote: 3-0-0.**

After the motion was made Peter Marcounis gave us a brief history of his company. Jerry said that the ConCom suggested that the Harbor Committee engage a coastal geologist to advise us on the rack line, beach clean-up, etc. Peter recommended one of his colleagues, Leslie Fields, as a knowledgeable person who recently helped put together a beach management plan for Falmouth. Jerry will follow-up with Leslie F. on this.

