

# Public Meeting

Thursday February 25, 2010

Location: **Blue Room**

Community Center

44 Bradford Street

Time: 4:30 pm

**Members present:** Roger Chauvette, Mel Cote, Jerry Irmer, and Phil Scholl.

**Members absent:** Susan Avellar (excused) and Marty Huey

**Staff Liaison:** Rex McKinsey

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

## AGENDA

**Review/amend/approve minutes of 2-11-10**

**Motion:** Move to accept the minutes of February 11<sup>th</sup> 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 and review Town Counsel's 2/5 letter.**

Rex gave a brief overview of the plan's comments. There have not been any major changes to the original plan and the plan has been sent to each member of the Harbor Committee to read and digest. At a future meeting a workshop will be conducted and will incorporate everyone's changes. Rex has changed the format of the changes and will e-mail them to everyone.

To further explain the suggestions from our counsel, Kathleen O'Donnell, Rex said that all the yellow highlighted items come from our counsel. There were a few changes she

suggested – some dealing in semantics.

Dennis Ducsik from Coastal Zone Management (CZM) also said that there have not been any huge changes to the original plan. Dennis' changes mainly refer to formatting issues.

Ms. O'Donnell said that the town is still interested in Fishermen's Wharf. Also it was suggested that Appendix B (a list of town properties) was a major sticking point. It was an inventory done by Tufts University students so there are errors in it and – it was thought – that as the licenses are being processed, Appendix B will be updated. Jerry said that he went through Appendix B and there are quite a few pieces of property from the Assessor's list that are not in it.

One appendix said that owners could put in benches, etc. for public use. It was just a starting recommendation and was not mandated. It's not necessarily a recommendation we'd make today.

Roger's big worry was about the clause regarding parking on Fishermen's Wharf which stated that parking only be allowed for water-dependent uses; concerns Susan Grilli's plans to conduct plays on the wharf. Rex said that we should run this by Kathleen, the attorney. Rex said that water dependent use by itself cannot maintain that property.

Rex also said that the DEP doesn't want to hear arguments about water-dependent usage. He further said that he would start the discussion with the theater being historically significant.

In the near future Rex is going to see someone from the DEP on many related subjects and advises that the Harbor Committee accept all the changes that our attorney suggested. Rex will give all the committee a clean document that incorporates all the changes and he feels we're much closer to an acceptable Harbor Plan; we are within 2 months or so from a final acceptance.

### **New Business:**

#### **Status of NoI for beach cleaning**

Jerry has had correspondence with a company that has a German machine that is supposed to be vunderbar! What caused Jerry a bit of anguish was that the ad for this marvelous machine said that replacement parts for this machine are only a mouse click away..... The HC was of one voice on this proposal – SKIP IT.

#### **Any other business that shall properly come before the Committee**

#### **ISSUANCE OF CHAPTER 91 WATERWAYS LICENSE**

**Waterways License Application No. W96-6575-N, License No. 12666**

**493, 495, and 495! Commercial Street, Ann Maguire, Trustee of the Bay Shore Condominiums, Provincetown Harbor, Provincetown, MA**

The license has already been issued and the Harbor Committee has no comments on it.

Adjournment happened at 5:08 p. m.

Whoops, another subject was hastily brought up. Kathleen mentioned that we should review the cost of Section C of the Harbor Plan. In the past the cost had been \$10 a cubic yard. It has now been 11 years and the cost should be reviewed. Using a chart for 1998, Jerry will figure it out and come back to the Harbor Committee with an inflation increased current cost. Mel simplified the charge by saying that it is rent they're paying for occupying public land. Owners can pay for it over 30 years at 4% interest rate and that could be changed.

Respectfully submitted,  
E. Rogers Gaudiano

Approved by the Harbor Committee on \_\_\_\_\_, 2010

---

Jerry Irmer, Chair