

**FINAL
PROVINCETOWN HARBOR COMMITTEE
MEETING – August 21st, 2002
TOWN HALL – JUDGE WELSH ROOM**

Present: Rex McKinsey (Chair), Sheila LaMontagne, Al Davis, Mel Cote

Absent: Bari Hassman (excused absence)

Others present: Chad Delima, Marine Superintendent

Call to Order: 5:03 p.m.

MINUTES

The committee reviewed minutes of the July 24th meeting. The committee approved the additional information of a letter that had been written to the DPW in support of the Storm Water Assessment Grant. Mel Cote moved, and Sheila LaMontagne seconded to approve the minutes as written. The vote was 4-0-0.

CHAPTER 91 WORKSHOP

The committee reviewed a memo from the Town Manager pertinent to the Chapter 91 Workshop Groups and Questions for Town Counsel per this subject. Discussion ensued.

Sheila LaMontagne expressed concern that the committee needed to adhere to the Harbor Plan and its philosophy, pertinent to Appendix B and general recommendations. She also felt that the Appendix as written was not consistent with the original Harbor Plan. The Committee voted unanimously to consider changes to Appendix B, Appendix C, and the use of some other line to replace the Scofield line.

Chad DeLima asked if the Appendix had been in place during Town Meeting when the original harbor Plan had been voted on and the Committee said no. Al Davis suggested that there were things missing from the Harbor Plan as originally conceived. Discussion ensued. Rex McKinsey felt that the Appendix was okay as written with the exception of site specific instances such as lighting and benches behind properties, etc. and suggested that the Committee target new specifics. Discussion ensued.

Al Davis brought up the fact that the Committee was supposed to have the final say on how the Harbor Plan operated and it seemed as though the DEP was now maintaining control over the plan. Discussion ensued.

The Committee next discussed the Scofield Line and any changes pertinent to this issue. They discussed the Historic Mean High Watermark. It was suggested that the 1939 High Water Line was the issue that the committee should discuss with the State at the Workshop and that this line should be defended since it is a long-standing property line.

Rex then asked the Committee to find :

- Alternatives to the Monetary Contribution (Appendix C)
- Which line the DEP had been using prior to the present line.

Discussion ensued pertinent to Amnesty Licensing fees and why they were no longer imposed over a “Life-time” but now lasted only 30 years. Al suggested that prior to 1938 this was a way for the State to make money. Sheila suggested that a formula be delineated as to the amount of property owned by each person this license applies to. She also asked why commercial occupation fees were lower than private occupation fees. Al suggested that it was hard to figure out square footage versus linear footage. Discussion continued and the Committee decided that this issue should be consistent with the Town Assessor’s findings.

Rex next brought up the issue of Appendix C pertinent to monetary contributions to the Harbor Fund and asked the Committee if there was anything they wanted to incorporate into this appendix. The issue of collecting fees from waterfront property owners and how it affects the community at large was brought up, and discussion ensued. Al said he would like to see the State step forward in defending suits against property owners as well as have the State create a specific set of rules. Sheila brought up the issue of new licenses versus amnesty licenses in place, and how the difference in the license affects collecting fees for the Harbor Fund. She also suggested that the workshop should focus on current amnesty license procedure. Discussion ensued.

STORM WATER ASSESSMENT PROJECT

The Committee reviewed some details pertinent to this project per what CZM is working on, including the costs for the project. It was moved by Rex and seconded by Al to end a letter of commendation to the DPW and Sandy Turner for their work on this proposal. The vote was 4-0-0.

TOWN LANDING SIGNAGE PROJECT

This project has been postponed until late September.

OFF-SEASON PROJECTS

The committee discussed what they would like to accomplish during the off-season and the following projects were proposed:

- Considering commercial mooring fees
- Closure of the Harbor to non-residents with a special consideration for fishermen
- Adding a clause for the liability policies for boats moored in Provincetown Harbor

Rex brought up the issue of changing regulations pertinent to Macmillan Wharf management and discussion ensued.

NEW BUSINESS

Rex read a letter to the Committee re: the moving of the Harbor Master's building from the Town Manager and DPW. Discussion ensued.

The Committee then discussed a replacement member for the Pier Corporation since one of the members recently assigned the Corporation had resigned.

OLD BUSINESS

None

TIME & DATE OF NEXT MEETING

Wednesday, September 18 at 5:00 p.m. in the Judge Welsh Room at Town Hall.

Rex moved to adjourn the meeting at 6:25 p.m.

Respectfully submitted,

Stefanie Sanev
Recording Secretary