

Public Meeting

May 19, 2004

4:30 p.m.

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

Members Absent: none

Advisory Staff: Rex McKinsey and Chris Flavell

The meeting was called to order at 4:33 p.m.

AGENDA

Review/amend/approve minutes of 5/4.

Two corrections were made: one - police chief's name is spelled **Meyer** and two – the spelling of Ann Colbourn's surname.

Motion: Kerry Adams made a motion to approve the minutes as amended. Heather Bruce seconded the motion and it was unanimously approved.

Public Statements

There were none.

Reports:

Harbor Plan Revision Subcommittees

Alice Brock had a hand-out on public landings. She suggested that the Committee members take it home to read it and then there will probably be comments on it at the next meeting. Jerry Irmer said he wanted to look into Cook Street a bit more.

Alice then said that if we cannot establish what is owned by the Town and what isn't – then we cannot do the job properly.

Alice asked, "Is the Harbor fund the same as the Chapter 91 money?" The answer was, "Yes."

Unfinished Business:

Kerry Adams read a thank-you letter sent to Ben and Jerry's Ice Cream for their donation for the harbor clean-up.

Old Business:

Conditions of Town Public Landings:

Alice Brock said she used the form that was in the Harbor Plan.

Flyers Boatyard Ramp

It is important to note that Ann Colbourn (an employee of Flyers) stepped down during the following two presentations and votes. A plan was presented which detailed the new proposed ramp along with the drain which will be part of it to handle any pollutants.

Motion: Kerry Adams made a motion write a letter to the DEP stating that the Harbor Committee supported the proposal as presented; Mel Cote seconded the motion and it passed 5-0-0.

Waterways Permit Transmittal No. WO33082 – Flyers Boatyard Moorings

At this point Chris Flavell presented the waterways permit to the Committee.

He said the Army Corps of Engineers had just given permission for Flyer to increase his mooring field from 12 to 50 moorings. The Corp is waiting for the Harbor Committee's approval before going any further. Chris said that it would be much easier for him to monitor if there were one person and one person only responsible for what went on in the proposed mooring field and Francis John Santos, owner of Flyers, would be that person. Both Heather Bruce and Alice Brock wanted more time to study the proposal. Chris cautioned that the season was about to begin and time was not a luxury anyone had. After a great deal more discussion the following motion was made:

Motion: Kerry Adams made a motion to grant preliminary approval for the additional moorings for Flyers Boat Rental (50 moorings in all); Mel Cote seconded the motion and it passed 3 in favor (MC, JI, KA) and 2 opposed (HB, AB).

Francis John made a date with the two who opposed his proposal to come down to the boatyard at 3:00 p.m. the next afternoon and he could show them larger, clearer maps. They agreed.

Waterways Draft Special Conds. W96-8166-N, W96-8203-N, W96-8213-N, W96-8233-N

There was a great deal of conversation about the state of record keeping of Chapter 91 licenses, etc. Bottom line: everyone wanted to know how the Chapter 91 fees are levied, i.e. is there a formula of sorts? It was agreed to ask the state just how these are set.

109 Commercial Street

This was originally filed a couple of years ago and the Harbor Committee has been given an extension until May 27th to provide comments.

Motion: Heather Bruce made a motion to send a letter to the DEP asking for a breakdown for special condition #5 and whether this is an amnesty or non-amnesty case. Alice Brock seconded the motion and it passed 5-0-0.

107 Commercial Street

This provoked many of the same concerns as the previous case.

Motion: Heather Bruce made a motion asking for a breakdown for special condition #5 and whether this is an amnesty or non-amnesty. Alice Brock seconded the motion and it passed 5-0-0.

51 Commercial Street

This property had a lot of discussion.....

Motion: Heather Bruce made a motion asking for a breakdown for special condition #5 (including betterment deduction) and whether it's an amnesty or non-amnesty. Ann Colbourn seconded the motion and it passed 4-0-1 opposed (AB)

Motion: (still on 51 Commercial St) Heather Bruce made a motion to request the DEP to require photographic evidence of special condition #2 of stairs and public access ways and posting of reasonable rules; Kerry Adams seconded the motion and it passed 5-0-0.

Motion: (still on 51 Commercial St) Alice Brock made a motion that she would like to see proof that other conditions imposed on this property were met, etc.

The motion died since there was no second.....

[Chris Flavell pointed out that if you were to ask for all other conditions, etc. – then you must do it for all – and not single out one property.]

Motion: Alice Brock made a motion to add condition #11 – a special condition stating that the applicants must comply with all Provincetown regulatory Boards’ conditions which are automatic for all applicants – abiding by the by-laws and state regulations. Heather Bruce seconded the motion and it passed 5-0-1 opposed (AC). [To clarify: Ann felt that photos should be mandated for all properties.

53 Commercial St

Condition #1 called for the removal of a fence since they are abutting the town landing; maybe ¼ of the survey cost should be credited?

PHC Mission Statement

HC has to meet with the Board of Selectmen (BoS).

Review Beach Cleanup; improvements for fall

There are no plans and Jerry Irmer wondered if the Town could ask AmeriCorp to help out. Heather Bruce favored an apparatus to do this townwide on a regular basis. MONEY is the issue! Jerry would like to have two beach clean-ups a year.

AB would like more conversation regarding beach cleanup.

Kerry Adams suggested just planning another cleanup for next spring.....

New Business:

657 Commercial Street

Chapter 91 – They have repaired a wall and have to maintain their stairs. Public comments will be accepted until June 18th. Jerry suggested just asking the state to furnish us with any information – They are east of Howland Street and the regulations are different.

Motion: Kerry Adams made a motion to accept the plan as is with no comment. Heather Bruce seconded the motion. Vote 4 in favor and one abstention (AB).

310CMR regulations

Heather Bruce had comments and corrections for the approved harbor plan.

It was decided by consensus that a letter would be sent to the authorities requesting an accounting of all moneys so far generated from Chapter 91 and an accounting of all moneys disbursed. (names, etc.)

The **next two meetings** have been scheduled for the 2nd and 4th Wednesdays in June.

Wednesday	June 9, 2004	4:30 p.m.
Wednesday	June 23, 2004	4:30 p.m.

On **Monday, June 14th** the Harbor Committee is scheduled to meet with the BoS.

Kerry Adams has a speaker he wants to have on the June 23rd agenda. James Costa will present a wave attenuation device that he has worked on and which can be installed beneath the surface of the water.

Everyone please note – the 2nd & 4th Wednesdays in June fall on the 9th and 23rd. Kindly mark your calendars.....

Adjournment

The meeting adjourned at 6:30 p.m.

Respectfully submitted,

Evelyn Gaudiano

Evelyn Rogers Gaudiano

Approved by _____ on _____, 2004.
Jerry Irmer