

FINAL VERSION

Public Meeting

September 29, 2004

4:30 p.m.

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

Members Absent: Ann Colbourn (recused absence)

Advisory Staff: Rex McKinsey, Pier Manager
Ted Meyer, Police Chief

AGENDA

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

Public Hearing.

NAE2004-1602, Relocation of existing mooring field, The Flyer's Boat Club, Inc.

Public Comments:

John Baldwin was the first to speak. He mentioned that he saw Rex McKinsey captaining Flyer's launch on Labor Day weekend and thought he was paid for that service and therefore an employee of Flyer's Boat Rental, Inc. and possibly a conflict of interest exists for this application. (It was later explained by Rex that the weather was threatening on that day and Flyer had a lot of people out on Long Point. For safety reasons Rex volunteered to help retrieve the people and bring them back to shore.)

Francis John Santos, the applicant, spoke next. He showed a map of all moorings in the harbor dated 1991 with the proposed location of the new mooring field. He stated that he has 50 moorings inshore plus about 12 moorings approved by the Army Corps of Engineers in the proposed location for a total of 62.

Mr. Santos also mentioned that Robert Cabral has 110 moorings. In response to Mr. Baldwin's comments he said that Rex McKinsey has not worked for him for over three years.

Heather Bruce questioned Francis John about providing a pump-out boat per Harbor Regulations, Article 2-7-1. He does not have a pump-out boat at this time. He will have pump-out facilities at the end of his dock. Alice Brock stated that she wanted to require dye in the holding tanks of boats in the

new mooring field.

Mr. Santos' son also spoke in favor of the application.

The following record is from 4:50 p.m. on.....

Robert Cabral, the owner and operator of Fishermen's Wharf and a competitor of Flyer's Boat Club, Inc., told the Committee that he operates 110 mooring fields and he feels the Town needs more facilities. He added that Francis J. Santos and his father before him have a whole lot of experience in this field. He urged the group, in order to get better facilities, to not deny a man with experience something he knows how to do. Bobby continued by saying, "There are not too many ways to improve the harbor and this is one of the ways." He concluded by stating that he very strongly recommends the expansion of Flyer's mooring fields.

Alice Brock told the group that they had just received something about the water quality of bathing beaches and she feels that some of the reasons are the many moorings. She further asked Bobby if he would be willing to ask his mooring customers if they would be willing to put in a dye pack in the holding tank so that any effluent released into the harbor could be easily traced? Bobby would not agree to it and would consider it to be an invasion of privacy. The town has free pump-out services which negates the need to discharge sewage into the harbor.

Heather Bruce said that Chris Flavell, the former harbormaster said that they hardly use the pump-out facility. Both she and Alice Brock were in favor of each mooring field operator getting their own pump-out boat.

Grassy said that he has a mooring field and many of these people on mooring fields prefer to not use their bathrooms; they use the shore facilities.

Elizabeth Wilkins, who works for Flyer, said that this whole season she has received only four or six requests for pump-outs. Her reasoning was that if these people are on a regulated mooring then they would be directed to a pump-out facility when needed. If they had no-one to ask then maybe they would just discharge.

Bobby said he has more facilities on Fishermen's Wharf than the Town and they are open 24 hours a day.

Kerry said his father in law has a boat with bathroom facilities and he found that most people who have boats don't want to use their facilities on board.

Mr. Baldwin, who conducted an informational session awhile ago on aquaculture, said that Flyer's proposed field is not a good spot for aquaculture. He evidently was the only voice objecting to Flyer's proposal. Mr. Baldwin said he was not objecting and felt that Flyer is just a good business man.

Rex McKinsey, after reading Pat Pajaron's report on beach closures, said that he thinks the solid concrete bulkhead was contributing to the pollution. Then he informed the group that they receive \$9K/year for the pump-out facility. Ideally there is one man in the office and one on the boat to service the boats..

Chief Meyers said that in the past there had been a tendency to turn down the marine radio and he will see to it that this ceases.

Kerry Adams agreed with Heather Bruce about pollution – but not at the cost of expanding the mooring field.

Jerry Irmer said the pollution could be leaking from failed septic systems which are adjacent to the harbor.

Rex said he has been in touch with Centers for Coastal Management and the main hurdle for frequent pump-outs would be to have our sewer system accept septage. If that time comes then we can get boaters and the Whale watch boats to pump rather than the suspected dumping at sea.

Bobby Cabral said that there have been permits already issued for this area that Flyer wants. At one time both Bobby and McNeil had approvals for this same proposed area. He was just trying to dispel the idea that this was an entirely new concept.

Motion: Kerry Adams made a motion to recommend to the Board of Selectmen (BoS) that mooring field B be granted to Flyers Boat Rental, Inc. Mel Cote seconded the motion and it passed. 4 in favor – 0 opposed – 1 abstention A.Brock

Heather wanted to add to the motion that the BoS should pay attention to the regulations in the Harbor Plan regarding pump-out facilities that are necessary for anyone who has 20 or more moorings. This misunderstanding has been discussed and rediscussed. Heather has been told that this regulation was written BEFORE the Town received the state-issued FREE pump-out boat. But, anyway, Heather still wants the BoS to know about the harbor regulation. (The harbor regs merely say that pump-out facilities should be made available and they are.)

Alice Brock says that she fears the irrevocability of granting these moorings. She further feels that once it has been recommended and granted – then that area is gone forever. She doesn't like that.

Heather floated a few proposed motions that will be discussed at a later date – about the same pump-out regulation.

Review/amend/approve minutes of 9/15

Motion: Alice Brock made a motion to accept the minutes as written. Kerry Adams seconded the motion and it passed unanimously.

Alice wondered if the Committee ever received a letter regarding amnesty and non-amnesty?

Answer: “Not yet.”

Jerry reminded everyone about the Monday, October 4th seminar taking place at 6:00 p.m. on conflict of interests. It will be held in the Town Hall Auditorium.

The next meeting will take place on Wednesday, October 13th at 4:30 p.m.

Motion: Mel Cote made a motion to adjourn at 5:58 p.m. Alice Brock seconded the motion and it gleefully passed.

Respectfully submitted,
Evelyn Gaudiano
Evelyn Rogers Gaudiano

Approved by _____ on _____, 2004.
Jerry Irmer