

## MINUTES OF WATERWAYS MANAGEMENT COMMISSION MEETING

OCTOBER 02, 2007

A meeting of the Waterways Management Committee was duly called and held on Tuesday, October 02, 2007 at 7:00 p.m. The meeting was called to order by the Chairman, Roger Race. The following people were present: Robert Metcalf, Norman Peloquin, Gerald Hickey, Chris Hemingway and Warren Hathaway. Excused was Ira Perry. Also present was Mr. Steven Melo, Harbormaster.

Mr. Race reviewed the agenda for the meeting. Mr. Hickey said that he would like to review a letter from Mr. John Quinn under New Business. Mr. Peloquin moved to accept the agenda as amended. Mr. Metcalf seconded. So Moved.

The minutes of the meeting of September 25, 2007 were reviewed. Mr. Peloquin moved to accept the minutes. Mr. Hickey seconded. So Moved.

### Harbormaster Report.

Zodiac Boat. Mr. Melo said they are still waiting for the boat. He said that the movers' truck broke down and the mover will cover any necessary storage costs. The boat should arrive next week.

Select Board Disclosure. Mr. Melo said he is still waiting for the Select Board regarding his marriage.

Smith Neck Road Accident. Mr. Melo stated there was a bad accident on Smith Neck Road. The car went through the guardrail and landed upside down in the water. He said the occupants were sent to the hospital. He said that the fire department and people involved did a good job containing any contamination. Big Wheels removed the car from the water. He said that the cooperation between all the departments involved was good and the job was done without problems.

Channel Changes and Mooring Assignments. Mr. Melo said that a notice was posted on the web site of the channel changes. He also handed out a copy to the WMC. He said that people are calling regarding winter sticks or mooring status and he is referring them to the web site. Mr. Metcalf stated that the bridge mooring would be in the channel if it moves. Mr. Melo said it will be but it will be taken care of.

### Old Business.

Concordia's ACE status. Ms. Carol Hill was present and stated that there has been no updates on the ACE permit. She said that Mr. Brian Valiton said that he would forward any commits made during the public comment period to Concordia. They haven't received any, but ACE may have a few to forward. She said that public commit can be made by mail or e-mail, the public comment period ends October 26, 2007. She will keep the WMC updated on any progress.

Public Notice posted to Website. Mr. Melo said he posted on the website a copy of the letter from ACE regarding Concordia's application and the invitation for comments.

2004 WMC letter to ACE. Mr. Melo handed out copies of the letter the WMC sent to ACE in 2004 regarding Concordia's application. Mr. Race feels alot has changed and maybe a new letter should be sent. Mr. Melo said the letter was regarding grandfather status and that has changed. Mr. Peloquin said that the membership hasn't changed and in general we should still stand by the applicant. Mr. Race said that this

letter is part of the package Concordia submitted. Mr. Hickey said that he doesn't want a new letter to slow the progress for the applicant. Mr. Peloquin said that the first question is whether we support the applicant. Mr. Hickey asked what a letter should state. Mr. Peloquin said that a one-statement response "That we support the application of Concordia as presently submitted" would be appropriate. He said that the 2004 letter was in response to specific questions from ACE. Mr. Peloquin moved that the WMC support the application of Concordia in its present condition. Mr. Hickey seconded. Mr. Race asked what should go into the letter. Mr. Peloquin said that one statement is fine, he feels it could state that although conditions have changed we still support the applicant in Army Corp. permitting. Mr. Hathaway said that the grandfather status has changed but the letter could just state we feel the same way, he said we should get across clearly that we are in favor of Concordia. Mr. Hemingway said that ACE hasn't requested a letter, do we really have to send one. Mr. Race agreed but since it is a Public Comment period for the application, but since the waterways are affected maybe the WMC should respond. Mr. Race feels that Concordia may not have control over all the public access points they indicate. He said that they would have a valet service at the landing. Mr. Melo said that the Town Select board and Public Access Boards have to approve it in writing. Mr. Hemingway said that Concordia previously said they would help with the parking problem at the landing. Ms. Hill said that the shuttle service would be available to anyone. She said that arrangements will be made ahead and go to the yard, Concordia would take them and their dinghy down to the landing and the car would stay at Concordia. Ms. Hill said that Mr. Nolan may keep dinghies at South Wharf but it will be costly. Mr. Hathaway feels that they have worked with Concordia in the past and any future problems will be solved as they come up. He said if problems arise, the WMC will solve them as they appear. Ms. Hill feels there will not be any problems. She said that Concordia's wants it to work. Mr. Hickey asked where the launch would be kept. Ms. Hill said that it would be kept on a mooring. Mr. Melo said there is a 15-minute limit on a vessel being tied up at the ramp dock. Mr. Hemingway feels that this is a good opportunity to help the overflow problems at the ramp. Mr. Peloquin moved that notwithstanding the changes in facts and circumstances we continue to support the applicant in their current bid for moorings to ACE. Mr. Hickey seconded. So Moved. Mr. Hickey suggested that signs could be posted regarding the launch service if this is approved. Mr. Peloquin said that then they could post no parking signs on Smith Neck Road or West Smith Neck Road. Mr. Melo said that there are 87 parking spots at the landing and in 2007 we sold 411 season passes for these spaces.

Ramps. Mr. Melo said that the state launch ramps are slated for rebuilding. Mr. Peloquin said that in Vineyard Haven the state shut down their ramps with no notice during June, July and August.

Commission Request for a Public Hearing from ACE. Mr. Race would like the WMC's opinion on a hearing. Mr. Hemingway said that anything that will slow down the progress on the permit is bad. Mr. Hemingway moved we have come to the conclusion that we do not feel the need for a public hearing at this time. Mr. Peloquin seconded. So moved.

#### New Business.

Article #24, Town Meeting 10/16/08. Mr. Race said that we are Article 24 at the Fall Town Meeting. He handed out a handout from the CPC on this article. Mr. Peloquin said he feels we should be prepared at Town Meeting. He feels a few boards at Town Meeting entrance with the information would be helpful so that town meeting members can review it. Mr. Race said that he would blow up the pictures for a presentation. Mr. Peloquin said they should know that the Town has owned the land for years with nothing done on it. Mr. Hickey said that there would be a handout for town meeting members to read. Mr. Race said that the CPC would present the article. Mr. Peloquin said the members have to understand that general fund monies will not be used. Mr. Melo said Town Counsel gave an opinion that this was a valid use for

CPC monies. Mr. Hathaway said that with this gift we will be able to start using the land and it will not cost the Town anything. Mr. Metcalf said that this would be a start for the property. Mr. Hickey said to include the letter from the Chief regarding this property and also the letter from Mr. John Quinn backing this project.

Mr. Hickey asked if there was a fence around the property. Mr. Melo stated that there is but it is so overgrown and broken that you can't see it in some areas. Mr. Peloquin stated that Mr. Hickey did a good job at the Finance Committee meeting.

Public Comment.

Mr. Don White said that all the questions the WMC considered would be asked at Town Meeting. He said that members might also ask how many moorings would be at the Rogers Street site. Mr. White asked why the lights are kept on at the Rogers Street house. Mr. Melo said that the bulbs are very efficient and the cost for using them is low, he replaced the bulbs to be able to shut off during the day using sensors and the electric bill went higher even when the lights were off. Mr. Hickey said to put the efficient bulbs back on.

Mr. Hickey said that he would like to see the Rogers Street waters regridded. Mr. Melo said there is a limit on the amount of moorings in this area. Mr. Hathaway said that with CBC near we could have sailing classes, adult programs but with alot of moorings it would be a problem because of the boats. Mr. Melo said that regridding isn't necessary because there are few boats. Most of the requests for moorings in this area are from residents living on the water.

Mr. White asked if there would be a ramp included in the CPC Grant. Mr. Race said not in the first phase of work, it is mostly for study and cleaning. Mr. Hickey said we are clearing the land only; he said we would have to keep it clear in the future.

The next meeting is scheduled for Tuesday, October 30, 2007 at 7:00 p.m.

It was moved and seconded to adjourn the meeting at 8:30 p.m.

Respectfully submitted,

Diane L. Vieira