

## MINUTES OF WATERWAYS MANAGEMENT COMMITTEE MEETING

FEBRUARY 19, 2004

A meeting of the Waterways Committee was duly called and held on Tuesday, February 19, 2004 at 7:00 p.m. The meeting was called to order by the Chairman, Warren Hathaway. The following people were present: Mr. Hathaway, Robert Metcalf, Norm Peloquin, Peter Hill, and Dr. Arthur Burke. Absent were Mr. Gerry Hickey and Bob Szala.

Mr. Hathaway reviewed the minutes of the meeting held on February 03, 2004. Mr. Hill moved to accept the minutes. Mr. Metcalf seconded. So Voted.

Mr. Hill reported on the fact finding group's changes on the Rules and Regulations, which were a result of the Public Hearing held on February 17, 2004. If approved:

- Number 8 will now read "Vessels moored or docked in Dartmouth in excess of fourteen **cumulative** days.....".
- Number 11 was a typo, it should read "...reinstalled before November 15 of each year".
- Number 23 has been completely reworded to: "All motorized vessels, jet skis and personnel water craft shall be operated in no more than headway speed when within 150 feet of a marina, boat launch, mooring or swimmer; or between 150 to 300 feet of a shoreline being used as a public or private bathing area." This wording is out of the Mass. Boaters Guide.
- Number 24 was changed by removing the word other, now reading "All pertinent State and Federal laws and regulations shall apply."

Mr. Hathaway questioned the November 15<sup>th</sup> date. Mr. Hall replied that all of the rules are at the discretion of the Harbormaster.

Mr. Peloquin spoke in regard to the changes to the proposed mooring regulations:

- Number 5 added the statement that the applicant for a recreational mooring permit must be the registered and documented owner. Also adding "A business entity shall mean a commercial enterprise primarily engaged in a for profit maritime related business with facilities that provide or rent mooring space such as marinas, boat yards, and other marina related supplies."
- Number 12 the word 'spouse' was added. Schedules A thru F the deadweight requirement was reduced to 500 lbs. for vessels 21 to 25 feet.

Mr. Hathaway said that Isaac would like a clarification on Number 24 regarding the cut-off date for mooring registration and secondly, if the waiting list will not move until the cut-off date or if someone voluntarily gives up a spot. His concern was the deadline is March 31, but there is a 30-day grace period making it April 30<sup>th</sup>. Dr. Burke said they have until April 30<sup>th</sup> to pay it then they have 30 days to remove the mooring or the Harbormaster will remove it. Mr. Hill said that by June 1<sup>st</sup> the mooring belongs to someone else. Mr. Peloquin said that number 24 should be amended to read any mooring not removed in 30 days will be done by the Harbormaster at the owners expense and the space will be reassigned. He said that this should be added to number 24.

Dr. Burke that it should be added to Number 6 "upon request of the boater pending vessel change the harbormaster may reassign the applicants location". Mr. Hill said his committee would do the changes.

Dr. Burke moved to accept the rules and regulations as amended. Mr. Hill seconded. So Voted.

Mr. John Hayes. Mr. Hathaway stated he would like to get a resolution on Mr. Hayes application. Mr. Hill moved to approve Mr. Hayes' request. Mr. Peloquin said a lot of time has been spent on this and he seconds the motion. He would like to grandfather anyone who had a mooring business in 2003 until the WMC can develop a fair method to handle this. Mr. Peloquin said that if they were rejected by the Army Corp. they would forfeit their commercial permit. Mr. Hill moved to approve Mr. Hayes request only. Mr. Peloquin seconded. So Voted.

Mr. Peloquin moved to agree to monitorium of further commercial mooring applicants and limit further applications to holders who had commercial enterprise engaged in a profitable maritime related business providing mooring space in 2003 until the WMC can further resolve a fair method to license mooring permits. Mr. Hill seconded with discussion, he would like a time line to approve any applications. Mr. Peloquin withdrew his motions and reworded it to enter into a monitorium on commercial applications thru October 31 until the WMC develop a fair way to license them. Mr. Hill seconded. So Voted.

At 7:50, Mr. Hill moved to go into executive session to review the applicants for the Harbormaster position. Seconded by Mr. Peloquin, Mr. Hathaway, Mr. Metcalf and Dr. Burke. So Moved to go into executive session.

Respectfully submitted,

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Diane L. Vieira