

MINUTES OF THE WATERWAYS MANAGEMENT COMMISSION MEETING

Tuesday, May 29, 2018 - 5:30 p.m. Room 315 Dartmouth Town Hall

A meeting of the Waterways Management Commission was duly scheduled for Tuesday, May 8, 2018 in Room 315 of Dartmouth Town Hall. The meeting was called to order by the Chairman, Gerald Hickey. Also present were members: Roger Race, Geoffrey Marshall, Andrew Herlihy and Kevin Murphy. Members Joseph Hannon and Warren Hathaway were excused. Also present was Steven Melo, Harbormaster.

Mr. Hickey reviewed the Agenda for the meeting. It was moved by Mr. Race and seconded by Mr. Murphy to approve the agenda.

The minutes of the last meeting of May 8, 2018 were reviewed and discussed. It was moved (R. Race) and seconded (G.Marshall) to accept and post the prior minutes as presented. All approved.

- A. **29'er Championship**: Mr. Andy Herlihy described the plans for a national championship to be sailed in local waters in sailboats called "29-er". He expects 30-40 boats from across the nation, with a smaller impact on the area than the prior 420 national championship successfully held in that venue. He stressed that the event was fully insured for all aspects of liability which would indemnify the Town and Department. He expects to provide door-to-door notices to all neighbors advising of the event with contact information. Geoff Marshall moves, Roger Race seconds to approve the special use of the waterways facility for the CBC sponsored event. All voted in favor with Mr. Herlihy abstaining.
- B. **Update on 2 issues submitted to Town Council**: Mr. Melo briefed the Commission on discussions he had with Brian Cruise of Town Counsel Anthony Savastano's Office. The first issue presented was whether the Town would be able to re-direct fishing activity from the Padanaram Bridge and Causeway to a dedicated fishing pier if so constructed under a State grant? Based upon analysis and research done to this point, it is expected that the opinion will show that the Town may so regulate that activity. A final determination will require inquiry to State agencies and that is expected to be done this year. There was no information regarding the status of Hayes Marine commercial mooring permits yet. Mr. Melo will be providing more information to Attorney Cruise on that inquiry.
- C. **Fishing Pier**: The interim Town Administrator has approved funds for an architectural artist rendering before opening of the causeway. This rendering will provide a likely size, style and location for the structure. This depiction will allow the public to better understand what is being proposed for the harbor, and how it would open the bridge sidewalk for passage while providing fishing opportunities more directly to the deeper fish habitat areas. Mr. Hickey outlined the numerous groups, boards, departments, etc. that should be directly solicited for their consideration of this project. In its proposed location, a supply of fresh water will be difficult, so a salt-water wash-down system should be considered for maintenance of the cleanliness of the facility. It was noted that Tristan the architect will need to be connected to Ross Kessler at DMF to make sure plans are effective and consistent with such projects. Roger Race will schedule a meeting of all parties at the site to get the rendering started. Roger Race moves, Andy Herlihy seconds, all voted favorably to begin the process toward getting a dedicated fishing pier analyzed, evaluated and hopefully constructed with universal acceptance. Kevin Murphy was volunteered to take the lead from the Commission on the pier project. Discussion about a town-wide MOU for maintenance of the pier was tabled until Roger Race could get more details. It was agreed that for safety concerns, the south side of the bridge/causeway, with access from the existing sidewalk seemed best. Cameras would need to be installed for monitoring proper use and public safety.
- D. **Maritime Center**: Kevin Murphy provided a brief update on the Maritime Center Project. Funding was not publically assured, however the application for additional funds was complete and favorably received by the state. It is anticipated that construction could still be completed within the grant confines. More information to follow as received.

- E. Harbor Master Plan:** Urban Harbors Institute has scheduled a full group meeting for all of the participants in the subgroups. It is at 3 p.m. on 5/30/18 in the Select Board Meeting Room of Town Hall. Emphasis on the goals and objectives of the plan will be made in a power point presentation. It is anticipated that the planning process will enter a drafting and writing phase over the summer, reconvening for group editing in the Fall.
- F. Dock/Pier Approval Process:** Mr. Hickey proposes regulations that will require each dock/pier process to obtain two certificates of compliance. One certificate would be a Harbormaster's certificate of Compliance, ensuring that each structure proposed will not interfere with navigation or pose unnecessary impediment to public enjoyment of the waterways. The second would require shellfish certification concerning the impact of any projects on shellfish and other natural resources or the ability to harvest them. Each certification should require an appropriate fee to address the amount of effort expended by the Harbormaster and staff for each private project. Mr. Hickey suggests that there should be a presumption of non-compliance unless and until a certificate is issued. Currently, a lack of comment from the Harbormaster is regulated to indicate conformity with public concerns. Mr. Hickey stated that Waterways and ConCom need to work together to change the manner in which dock projects are considered for approval in Dartmouth to incorporate the waterways needs into their process and collect reasonable fees for the efforts waterways and shellfish personnel expend on these evaluations. Roger Race noted the incredibly low values assessed for dock/pier enhancements on real estate tax assessment. Roger Race moved, and Geoff Marshall seconded a motion to draft an outline by the Harbormaster for the certificate of compliance plan, including suggested charges for work on the certificates. The next step will be to come up with a plan for implementation working with ConCom. Geoff Marshall added that he would like to see written step-by-step procedures to be followed for seeking the installation of piers/docks in Dartmouth.
- G. Dias Landing:** The Harbormaster updated the Commission on the work that has been, and still needs to be completed. Dinghy racks are completed and waiting installation. Half of the shack roof needs to be replaced; the parking lot continues to erode at the far north end. Barrels have been placed in the eroded parking spaces to prevent anyone from driving off the edge. The Public Access Board has committed to making the needed repairs to preserve the north edge of the facility. The road rain run-off continues to wash beach sand onto the launch ramps, and it has been reported that significant shoaling at the end of the ramps has limited the ability to launch deeper draft boats since last fall. Kevin Murphy stated that he wants Waterways Commission to take on the issue of ramp siltation since it all falls back upon Waterways. We need to take it on sooner rather than later since it grows worse with each storm.
- H.** No Public Comment being offered, the meeting was voted unanimously adjourned at 7:40 p.m.

The next meeting of the Waterways Commission will be on Thursday 6/28/2018 at 5:30 pm.