

MINUTES OF THE WATERWAYS MANAGEMENT COMMISSION MEETING

Thursday, June 28, 2018 - 5:30 p.m. Room 315 Dartmouth Town Hall

A meeting of the Waterways Management Commission was duly scheduled for Thursday, June 28, 2018 at 5:30 p.m. 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 29, 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. Rogers Street Update: Medeiros Construction has found an alternative storage location for materials needed to do their sewer and storm drain work on Rogers Street. A previous request for use of the landing is rescinded. A neighbor who asked about closing the gates nightly has expressed satisfaction with leaving them open with night lighting.

B. Proposed Dock/Pier Review Standards: Mr. Race motions to advise the Harbormaster not to consider proposals for new or revised construction in the waterways during the boating season. This motion was seconded by Geoff Marshall and supported unanimously by the Commission. It was more clearly defined that the Harbormaster would be unavailable to submit review comments between April 1st and November 1st of each year to consider such private project proposals. During this busiest season for boating, his attention would remain focused upon the demands of the boating community whose fees support the entire operation. Currently the Conservation Commission regulations contain a “presumption of acquiescence” where no response is received regarding a private construction project into the waterway. The waterways action may not be able to change that ConCom presumption, so it was decided that a blanket response of non-compliance should be submitted for any project proposed when the Harbormaster is unavailable. ConCom should be advised of this seasonal restriction to give applicants an understanding of the necessary timeline.

Mr. Hickey proposed that the Harbormaster adopt regulations that would require each private project into a waterway receive a “certificate of compliance” from the Harbormaster/Shellfish Constable as a prerequisite for approval and construction. Mr. Race suggested a fee schedule for issuing the Harbormaster’s “certificate of compliance” that would be on par with what ConCom charges for such private projects. Mr. Murphy moves, and Mr. Race seconds to require each private construction project into the waterways should require a “Harbormaster Certificate of Compliance” with a fee equal to ConCom’s rate for a determination (currently \$600). That motion was unanimously approved.

C. Recreation Area: The Commission will rely upon information from the Harbor Master Plan group on how to formalize the bounds and allowable uses of the upper harbor recreation area. This will preserve the intended purpose of the area, keep it clear from any future intrusions, and continue the historical safely contained recreational uses for the area. Geoff Marshall moves, and Roger Race seconds the move to officially delineate the recreation area in the harbor management plan, and otherwise. This motion was unanimously approved with the additional desire that the delineation should specify desired activities and clearly prohibit the addition of any structures that could impede or conflict with the intended purpose of the area. It was specifically mentioned that the designation should reflect no interference with the Town’s natural resources or the harvesting thereof.

D. Maritime Center: Kevin Murphy reported that despite an unexpected insurance glitch seeking an obscure coverage required by one prior party, construction will commence on schedule, on 8/13.

- E. Harbor Management Plan Project:** It was reported that the Town Planner has unexpectedly and suddenly departed for another community, leaving the project without a lead Town official. It will be up to the Planning Board to select his replacement. The project is on somewhat of a summer hiatus as far as meeting and local work goes. This hiatus will take some pressure off the missing lead, but it is worth realizing that it *may* result in some form of a set-back in the planned timeline.
- F. Fishing Pier:** Nothing new to report. We are still waiting for an artistic rendering of what the proposed structure would look like.
- G. Harbormaster Update:** The Town is still posting 2 available part-time, seasonal staff positions to assist throughout the season with boater needs. One position was for a pump-out boat operator, the second was for evenings, nights and weekend patrols. The Harbormaster is trying to employ the maximum amount of coverage allowable under the Enterprise budget, but all hiring must run through the Town Personnel Department. The Harbormaster office has also received numerous complaints about obnoxious noise emanating from one particular sailboat in the SE portion of the outer harbor. Roger Race stated that the town noise ordinances should apply, and they will preclude continuous anti-bird noises. It was the consensus of the Commission that the individual responsible should be approached amicably, but firmly to remove the offensive noise device. Mr. Melo announced that Padanaram Harbor has a new resident seal. It has been frequently sighted along the rocks midway down Smith Neck Road. A protective wildlife group has visited and evaluated the seal as healthy and normal in its natural environment. They posted a lawn sign along the roadside warning people away from approaching or interacting with the seal. He described the overwhelming requests for kayak storage racks at the Dias Landing. It was determined that he should go ahead with the upright kayak design previously discussed. The interim administrator spoke to Mr. Melo about public requests that he received regarding resuming rental of a portable toilet for the Dias Landing. The rental had been discontinued during the causeway construction due to the diminished activity at the landing and the overuse by contractors. It was unanimously advised that a rental unit should be installed upon completion of the causeway project.
- H.** No Public Comment being offered, the meeting was voted unanimously adjourned at 8:00 p.m.

The next meeting of the Waterways Commission will be on Tuesday 9/18/2018 at 5:30 pm.