



## Observer Report

Harbors and Waters Board - June 6, 2022

LWVM Observer: Kathy Breslin

Location: Harbormaster's quarters, 9 Ferry Lane (in person)

ADA compliant: yes

Members present: Gary Gregory, John Daub, Ken Breen, Jay Michaud, Peter Dragonis, Rick Cuzner Mark Souza, Harbormaster: present

### 1. Outside dining seating at Landing Restaurant/State Street

- The Marblehead Select Board asked the Harbors and Waters Board to give recommendations regarding the continuation of outside dining seating at the Landing Restaurant. The Board has stated in the past that if there were any incidents then the outside dining seating would stop. To date there have been no incidents. Citizen complaints are to be directed to the H & W Board or Harbormaster.
- Complaints have been received from the commercial fishermen about their parking spots being taken away by the seating and that they have little space to work in. Two diesel trucks load fish at the State Street dock while idling next to the diners. It was stated that if there were a conveyer belt at Commercial Street it would help the situation. It was recommended that the outside dining seating continue unless there is an incident.

### 2. Coastal Zone Management: Position of the Harbors and Waters Board on Public Access

A printout of a slide outlining the Board's position was distributed. The slide will be presented to the public forum on June 9, 2022. In summary:

The Harbor Enterprise Fund is directed by the H & W Board which manages and maintains harbor-related assets of the Town. It operates outside of Prop 2.5 limits and receives no funding from the Town. It is funded by boat excise taxes and mooring/ring permit fees. Operating surplus goes into a fund to cover capital costs. The Harbor Enterprise Fund was created to preserve water access for marine uses, both recreational and commercial, to provide for orderly regulation of the harbor, including safety patrols, and provide for long-term maintenance of

capital assets. Much of this property serves the mission and provides sustaining income. Any change in use of the property must be consistent with the Board's mission, contribute positively to H & W Board finances and be self-sustaining in the long term.

One of the CZM Project's objectives is providing public access, enhancing walkways and boating. A public walkway between the Commercial Street property and the Cliff Street property, under the direction of the HWB Enterprise fund, could possibly be created. However, one member stated that commercial fishermen can't be pushed away from this area. Another member pointed out that the HWB Enterprise fund serves those who pay excise taxes and mooring/ring fees. Kayaks, SUPs, and some small sailboats don't pay either taxes or mooring/ring fees.

### **3. Harbormaster Report**

The Hoyer sling lift for assisting boaters with disabilities has been delivered. More parts are to be delivered. It will be located at State Street dock.

The rest room construction at State Street is ongoing but the contractor is not meeting expectations, working only sporadically. The opening date is expected to be in late June, 2022.

A 30-page expanded Port Security grant narrative for the new Harbormaster patrol boat is due on June 13.

The Neptune LNG Deepwater Port is not in use but it is being serviced and surveyed. Marblehead is the closest harbor to it.

### **4. New Business: Request for additional trawl line space for MHD Town Class sailboats.**

Chris Howes and Bill Larkin made a request for additional Town Class boats to be added to the existing trawl line near Riverhead Beach. The Board felt that Chris and Bill have formulated a sustainable plan. After a long discussion a motion was passed to allow five more boats to the trawl line on a trial basis, revisited on an annual basis. If there are no problems possibly more boats could be added next year.

Chris and Bill stated that the trawl line has coexisted with the kayaks and SUPs launched at the beach with no issues.

The Harbormaster mentioned that there is an extensive wait list for shallow water moorings, including many 13-foot power boats. The chair stated that power boaters are welcome to present a request to the Board for a trawl line.

The water is too shallow for launch boats to bring boaters to the boats in that area. Most people use kayaks or dinghies. There is an environmental issue if the boat bottoms touch the sea floor, unless an environmentally safe bottom paint is used.