



Town of Barnstable

Waterways Committee

1189 Phinney's Lane, Centerville MA 02632

www.townofbarnstable.us

Waterways Committee Meeting Minutes October 22, 2024

A meeting of the Town of Barnstable Waterways Committee was held via Zoom as approved by the Town Manager with the Committee's approval.

I. Call to Order

The meeting was called to order at 7:02 pm by Chairman Paul Everson. Quorum has been confirmed and Everson read the following notice at the beginning of the meeting:

NOTICE OF RECORDING "Please note that tonight's meeting is recorded and broadcast on Town of Barnstable's Government Access Channel and, in accordance with MGL Chapter 30A, s. 20, I must inquire whether anyone is taping this meeting and to please make their presence known."

Roll Call:

Board Members present: Paul Everson, Chairman; Greg Egan, Gary Shramek

Board Members absent: Todd Walantis

Town Staff present: Harbormaster (HM) Brian Taylor, Jay Horn, Deputy Harbormaster (DHM), Pam Swider-Cohen, MEA Principal Department Assistant, Matt Wrobel, Town of Barnstable, Dept of Public Works

Town Council Liaison Present: Paul Neary

Public present: Robert Lawton, Robert Betti, Jeff Kadish, Chip Niehoff, Paul Revere III, Robert, Roy Okurowski

II. Meeting Minutes:

1. September 24, 2024 Waterways Committee Meeting Minutes **A motion was made by Greg Egan and seconded by Gary Shramek to approve the September 24, 2024, meeting minutes as written: all in favor of accepting minutes as written.**

III. Notices of Intent (NOI):

1. Stone, Jason Trust, Jason Stone, 183 Bay Shore Road, Hyannis, MA 02601, Map/Plat 325/180. The applicant proposes the removal of approximately 1 FT of material in the area specified on the plans. **Roy Okurowski of WRS Engineering represented this project. Due to what he believes is littoral shift of sediment, they are asking to dredge a 1-foot depth in the location of the boat lift. It is under a hundred yards of sand and plan to remove to off site or if allowed used for beach nourishment. DHM Horn stated he has no issues with this project and requests notice of when the work would be done. Greg Egan questioned if one foot would be enough. Gary Shramek has no objection as with Chairman Everson. All in favor.**
2. Town of Barnstable Department of Public Works, Matthew Wrobel, Kalmus Beach Boardwalk Replacement Project, 670 Ocean Street, Hyannis, Map 324, Parcel 41. The

applicant proposes to remove the existing damaged Kalmus Beach boardwalk, install a replacement ADA (American with Disabilities Act) compliant 5' wide raised wooden boardwalk. Additionally, the project will connect to a wooden transition ramp and Mobi-Mat Roll-Out Ground Access System. **Matt Wrobel, Town of Barnstable, Dept of Public Works – Engineering** represented this project. **Kalmus Beach Park replacement of the raised beach walkway near the snack bar to access the beach from the parkin lot. Due to winter storm surge that damaged a portion of the walkway. In summer and spring of 2024, Conservation approved the removal of the damaged boardwalk. He is now submitting an NOI with a 5-foot-wide ADA approved walkway along with at seasonally deployed Mobi-Mat Roll-Out Ground Access System. Wrobel continued to describe the process of the construction as required to protect the endangered species in the area. Chairman Everson stated that this is not a navigation issue, but the Committee members are in support of this project.**

IV. Mooring Appeals: None

V. Old Business:

- 1. Mooring regulations DHM Horn stated that the Town Manager may require a public meeting, but the regulations have already been approved by the Waterways Committee. Hopefully they will be approved in November in time for the 2025 renewal season.**
- 2. Marina fees - Proposed Marina Fees: DHM Horn stated on behalf of the HM Taylor the update that the 2025 slip rate proposed fees will be presented to the public via the Town Manager fee hearing currently scheduled for November 12, 2024, but subject to change. Public comment will be open for thirty days after the hearing.**

VI. NEW BUSINESS:

- 1. Termination of AGL's Servicers license DH Horn discussed his positions at the Town. He is both the Deputy Harbormaster as well as the Mooring Officer. As the Mooring Officer he has regulations to follow and is not able to bend the rules. Historically people have tried to find loopholes to obtain a mooring, and he feels his predecessors have done a fine job of closing those loopholes. He shared an example regarding a change of vessel he had to deny due to the size of the vessel was greater than the guidelines allow. That individual appealed to the Waterways Committee as allowed via the regulations. A member asked why it was even denied. He stated he cannot pick and choose the regulations he follows. He stated he tries to be as accommodating with the public as he can. The decision to terminate AGL's license to service moorings in the Town of Barnstable was not an easy decision. He stated it started back in 2022 with a notarized letter of violations that had occurred, and a warning was given. Horn stated that he has the right to appeal this decision. Horn stated he was forced to make this decision as this servicer is not living up to the standards of the Town of Barnstable. Chairman Everson stated he received a letter from the attorney of Mr. Neihoff and stated he will be utilizing his right to appeal. Attorney Revere stated he came tonight to listen as he received an email form the Town's attorney, and he expected that Mr. Horn would only state that a termination letter has been issued. He is appalled as this is a man's income. Chairman Everson asked that he would be appealing this matter by October 31, 2024.**

2. **Save our Fleet, Preserve Barnstable Harbor Jeff Kadesh owner operator of the Aquarius. He has been involved in the Charter Boat business in Barnstable Harbor for over 50 years. He stated that in the early seventies there were 12 charter boats in Barnstable harbor. Our issue is unique to Barnstable Harbor. Rock Harbor 20 Charter boats. Close to being irradiated. Times when rules and regulations need to be changed with the benefit of the local community. NOAH published studies. Chairman Everson asked what he thinks the cause to the change in Barnstable Harbor is? Kadesh stated the rules and regulations of the waiting list for the marinas effect the Charter Boat business. The DH Horn stated that we create regulations to try to keep things fair and equitable to all. He stated the mooring field outside of the inner harbor has available mooring space. Gary Shramek stated that parking is also an issue for the charter business.**
3. **Mooring Wait List Lotteries to go live November 1 for the following Mooring locations: Cotuit Bay Shores, Cotuit Town Dock/Ropes, West Bay and West Bay Flats Sorry the lottery will not be in November due to the mooring regulation timelines. It will be postponed to a later date which will be posted. He also stated that he will be limiting it to 25 names chosen. This will keep the lists with a healthy number but allow for future drawings for people who did not win the earlier lottery.**

- VII. **CORRESPONDENCE: Planning and Development: Local Barnstable Comprehensive Plan is looking for public to submit comments. Chairman Everson pointed out the Marina areas are on the map.**
- VIII. **Harbormaster Report: DHM Horn stated that the boat traffic has slowed down, but they are still responding to calls. Vessels need to be removed from the Marinas by October 31. The docks in Barnstable Harbor will be removed on November 7, 2024. Aton removal will begin November 1 beginning in Hyannis, Centerville River, and lastly Cotuit will be removed. We are very busy in the fall. We are already getting ready for the 2025 renewal season. A lot of administrative work is done to begin the process and assure it is a smooth process. Chairman Everson noted that word is getting out about the Coast Guard is engaging a company in the removal of the riprap at Collier's and southwest rock, people are very happy with that news.**
- IX. **Matters not reasonably Anticipated by the Chair: Upcoming meeting dates are November 19, 2024, and the December 17, 2024, which is due to the holiday schedule.**
- X. **Adjournment: There being no further business, motion to adjourn by Greg Egan and seconded by Gary Shramek, the meeting adjourned at 7:53 PM.**

Respectfully Submitted,
Pam Swider-Cohen, MEA Principal Department Assistant