

October 4, 2005

Public Meeting Notes

Topics: Tourism and Recreation/Public Access

Presenters: David Fronzuto, Nantucket Marine Superintendent; Steve Bliven, Sarah Oktay, Chris Sweeney, Dan Hellin, Kristin Mallek of the University of Massachusetts Boston

Eighteen people attended the meeting.

Dave Fronzuto provided an introduction to the evening's meeting

Presentation by Dan Hellin:

- The scope of project is limited to issues within the two study areas. Issues affecting, but not within the study areas will be reviewed, and recommendations may be made as they relate to the study areas, however review of those issues will be limited.
- The purpose of this meeting is to gather public input related to the two topics presented tonight

Topic I -- Public Access:

- Types of public access include physically getting to the waterfront, launching a boat, tying up along the waterfront, visual access, and the ability sit and enjoy the waterfront in a park
- The Harbor Plan will also look at access in terms of appropriate amenities at access points (such as parking, restrooms, etc.)
- Issues within the 1993 Plan dealt with diminished opportunities for public access, conflicting uses, and maintenance concerns
- The Goal of the 1993 Plan was to: Provide more public access to all harbors in the form of dinghy docks, pedestrian activity, adequate parking, and the future establishment and maintenance of right-of-ways
- Objectives from the 1993 Plan: Inventory, maintain and preserve existing access sites and establish new ones; Identify sites for water-dependent or accessory uses, and develop plans for these sites in conjunction with BMPs for non-point source pollution; Pursue funding opportunities for site improvement projects; Improve, maintain, and locate additional boat ramps and launch areas
- The Urban Harbors Institute (UHI) is reviewing all Chapter 91 Licenses to identify and summarize all of the access-related requirements within those licenses
- The Right-of-way committee has developed a list of public access sites. UHI will build upon their efforts and provide maps of the access points
- Action items from the 1993 Plan include: Require public access easements on all new waterfront developments or expansions/improvements that require Planning Board approval; Collaborate to pursue an open space and right-of-way acquisition program to protect public access and wetland resources; Work with

DEP to ensure adequate public access related to Chapter 91 licensing; The Right of Way Subcommittee should take actions to identify existing sites and potential sites; Develop a plan to permanently acquire additional public rights-of-way and to maintain all rights-of-way; Sign all coastal public access sites

Questions and Comments from the Public regarding Public Access:

(Note; these comments and questions were submitted directly by members of the audience and do not necessarily reflect the opinions of the Town of Nantucket or UHI. These comments are included as points of discussion and debate.)

Public Access Acquisition (non-Chapter 91):

- How many easements did the Planning Board require? Are they mapped?
- Question: Did the Rights-of-way committee produce anything they were charged with via the 1993 Plan?
 - Answer: UHI is investigating these questions and will make the information available as information develops
- The Land Bank has acquired land along the water by the kayak rental facility, Madaket Creek, and Petrol Landing – so efforts are being made; however, the public would like more.
- On Ames Street in Madaket, SHAB tried to improve access but neighbors fought to keep people out. The Madaket Civic Association undermined efforts to identify access. Improvements to the Ames Street site have been funded
- Question: Acquisition – is the state willing to back a project in order to get more access?
 - Answer: The State Access Board, as well as other mechanisms, can be used to access funding at the state level. For example, some of the Boston Harbor walkway was acquired through Chapter 91 and negotiations. The Office of Coastal Zone Management (CZM) offers technical assistance. Chapter 91 provides legislative support.
- There should be a public walkway along the water in the historic district

Chapter 91:

- Chapter 91 Licenses have a limited lifetime
- Question: In 1920 a license was granted to install a boat yard and ramp in South Beach. Can successors remove the ramp?
 - Answer: Yes. The use can be removed. Changing the use may or may not require a new license – it depends on the project. Dave’s experience is that maintenance of something within the same footprint does not usually require a new license. Reducing or increasing a footprint may require a new license.
- For structures within the harbor, both Chapter 91 and the Wetland Protection Act apply

- The Nantucket Boat Basin renovations, the Old North Wharf project, and the Great Harbor Yacht Club proposal all required public access components.
- Chapter 91 only has jurisdiction to the first major road or to 250 feet from the mean high water line, whichever is further. The town's police powers allow zoning regulations to protect the health, welfare, and safety of its residents – thereby allowing the town to create zoning regulations (including an overlay district) that does not have the same limits as Chapter 91

Public Access “Collaboration” and “Coordination”:

- The word “collaborate” is not specific enough – For example, there are places in Madaket where the water is managed by one group, the land is owned by another group, and the land is managed by yet another group. Need to enforce communication and coordination
- How do you organize public access? The town needs an organization that coordinates the various commissions in terms of public access and development – things are approved without really being addressed
- Need to identify the entity in charge of each action item and how the action items should get before the Board of Selectmen -- this was done via the matrix in the 1993 plan, however the responsible parties should be involved early in this process to increase the likelihood of completing the action items
- Is there a model of coordination (perhaps the Cape Cod Commission or the Martha's Vineyard Commission)? Some commissions have regulatory authority to require people to work together. Hopefully the Management Plan will help clarify this
- Question: It is important to have buy-in from the parties responsible for completing the action items. Can UHI develop an implementation plan for completing the action items?
 - Answer: The selectmen will identify the issues most important to the town. They should encourage involvement of other groups in the implementation phase. UHI is working with potential responsible parties to increase buy-in.

General:

- Have access lists and maps been developed in the past?
- Can UHI list the information on-line, including information on why certain aspects of the 1993 Plan were not completed?
- Develop a public access guide including maps, and other information about the sites.
- Signage is crucial to effective access
- The Planning Board should be audited to see what types of access they have required
- There might be some cases where “Private” signs are posted at public access points.

- On Spruce Street, abutters are encroaching – there should be an effort to improve visibility of access there
- UHI met with Andrew Vorce, Planning Director, to discuss real and potential access sites. UHI will create an inventory of known, potential, and sub-par access sites which will be available for public review and comment
- The “Planning Board approval” Language of the 1993 Plan (in terms of requiring public access) is too narrow. It should be expanded to take into consideration all projects and phases of project – regardless of Planning Board involvement – this will hopefully prevent projects from having to go back and address public access issues
- Question: Why can’t this study define the location of the historic high water line? This would help the town make important decisions about waterfront development.
 - Answer: It is important to remember that a project is still subject to municipal zoning regulations. A municipal harbor plan lets the town decide what is and is not allowed within areas subject to Chapter 91. Zoning can be a powerful tool. UHI can recommend an overlay district. The meeting on waterfront development will address this issue further.
- The overlay district idea was not presented in the 1993 Plan. UHI should include it in the updated plan. Zoning changes require educating voters so that they can make informed decisions – they need to have all of the information.
- The town could develop an overlay district landward of the mean high water line. The Office of Coastal Zone Management (CZM) is defining the mean high water line around the state. Those findings will be open to challenges.
- Polpis Harbor is included in the study area. Upgrade completed here should be looked at more closely. Community Sailing would like to make a positive impact.
- How are private entities addressed in terms of public access? (Like the sailing program) – They should be included in any list of public access points.
- Question: What is “public access” – how does the plan/town define it?
 - Answer: Public access, as referred to in the 1993 Plan, relates primarily to recreation opportunities. Chapter 91 licenses could include things beyond recreation
- The plan should address global warming as it relates to public access. The shelf life of the plan allows future plans to deal with this more directly as impacts are more liable to occur
- Question: Most boat yards are moving inland (except Madaket Marine) – creating a need for more boat ramps. Will the new plan address this need?
 - Answer: Yes, this plan will address the increase in need for trailering boats to make sure that proposals represent adequate access
- Some larger boats need vertical hoists. What about those – especially with regard to the status as a harbor of refuge? In general, more storage is needed.
- Signage and maps regarding public access should be made widely available – maybe create a combined map showing pedestrian access, bike access, boat ramps, etc.

Topic II – Tourism and Recreation:

- One of the areas UHI is investigating is that of commercial traffic within the harbor for visitor-related purposes. Data from the Steamship Authority shows an increase in ridership during the summer months.
- There seems to be a steady increase in the number of trucks coming to the island – however the definition of a “truck” changed within the past 2 years, and might help explain the increase
- Action Items outlined in 1993 Plan: Develop a waterfront guide including charts, public access areas, parking, telephones, and other important information; Provide improved public service facilities in the central business district. New/improved commercial developments on the water should also provide public services; Analyze the feasibility and need for a harbor and watersheet overlay management plan regulating conflicting harbor uses; Promote fishing as a tourist activity in both harbors; Implement a data collection system for types and intensities of harbor uses on a seasonal basis
- Goal of 1993 Plan: To provide adequate support facilities, services and sites for tourism and recreation in Nantucket and Madaket Harbors

Questions and Comments from the Public regarding Tourism and Recreation:

(Note; these comments and questions were submitted directly by members of the audience and do not necessarily reflect the opinions of the Town of Nantucket or UHI. These comments are included as points of discussion and debate.)

Cruise Ships:

- Cruise ships – where are they moored? Are there adequate shore-side facilities for them? What is the damage from their anchors and propellers?
- Town could ban ships beyond a certain length from entering the harbor
- Boats entering the harbor are limited by their draft – the channel is 11 feet deep.
- The boats currently stopping at Nantucket carry from 75-100 people. They are supposed to anchor in the deep water. They provide schedules before coming
- Most of the town does not want to see big cruise ships in the harbor – they can anchor in the federal anchorage, but the town does not have the ability to handle 800 tourists coming in at once – in terms of loading/unloading, providing restaurants and bathrooms, etc.
- The MA State House is proposing cruise ship visits to historic MA ports – this does not include Nantucket
- A transportation center similar to the one proposed would increase the capacity to accommodate larger groups of people. The town could still prevent cruise ships from coming to Nantucket via an overlay district
- American Glory holds 75-100 passengers
- How should the town define “cruise ship”? that will be necessary in terms of making sure they stay out of Nantucket’s harbors

Boating-Specific:

- There is a lack of boat mechanics and adequate launch services
- Moving moorings up harbor would influence recreational sailing
- Should have more marine supply shops near the waterfront
- Safety in harbor under sail -- need to maintain the turning area in the harbor to accommodate large sailboats. Affluent tourists may have different needs
- Approximately 1400 boats in the harbor are 25' or less. Only 7 or 8 boats are over 50'. About 80% of the boats could be hauled out at a ramp if needed
- Question: Are there any standards for hurricanes or other storm events that require a certain number of ramps or haul-out facilities per boat?
 - Response: The current situation functions fairly well in emergency situations – boats are hauled quickly and stored all over the island. Making the proposed changes to Children's Beach would improve the situation by making the tide irrelevant
- Price to expand the ramp at Children's Beach is approximately \$495,000

Dredging:

- The health of the harbor is directly related to tourism and is one of the island's selling points
- The harbor is filling in and people are losing access to the water. Where and when should dredging happen? What are the important factors to consider? Should Easy Street basin be done? Children's Beach was done.
- The town is paying for the sand three times: They pay to bring it to the island, they pay to put it on the roads, and then they pay to have it dredged.
- Dredging can also improve water circulation
- One has to consider funding, disposal sites, lag time for getting permits
- Town could store dredged sand at the dump and re-use it perhaps

Facilities:

- Is there a need for more facilities to provide recreational opportunities?
- The community could do a better job to improve publicizing access – through access points and through public programs
- Question: Should telephones still be mapped given the increasing use of cell phones?
 - General consensus: Yes. Cell phones may not be available to everyone
- Availability of public bathrooms in the harbor is good compared to Madaket's lack of public facilities. UHI might want to identify where public bathrooms could be beneficial

Fishing:

- Fishing tournaments bring a lot of people to the island (Anglers Club, Boys and Girls Club, local tackle shops)
- Plan will address those who actually fish in the harbor as well as those who use the harbor as a place to start out
- “Fishing” should include recreational scalloping

General:

- Community sailing program will share its data with UHI. They have been collecting information since 1995
- Plan should promote other uses of the harbor in addition to fishing – such as sailing, kayaking, etc.
- Kayak and sailing programs are not booked solid – weather plays a role
- Kayakers should be educated about safety issues too – an overlay management plan might help address such conflicts of uses
- Sea planes are allowed in the harbor. They are commonly used to transfer money. Once they land on water, they become “boats.” Many don’t even carry marine-band radios
- What is a “tourist”? Does it include seasonal residents?
- Plan update should propose general water use but also provide information on how to use it safely and responsibly
- Wood Property in Madaket – the Conservation Commission controls the land, but that was a decision made by the Board of Selectmen. They could possibly re-open that discussion if needed
- Comments posted to website: Should there be an option to share comments on line or should people go to the field station and read hard copies?