

**Notes from the Nantucket/Madaket Harbor Planning Public Meeting
September 20, 2005
Maddequet Admiralty Association**

Approximately 30 people attended at least part of the meeting

The purpose of this public meeting on the update of the 1993 Nantucket and Madaket Harbors Action Plan was to discuss the planning process, introduce the Planning Team and the schedule, and solicit input on the issues of the harbors, particular Madaket Harbor, to be addressed through the plan update.

Presenters:

David Fronzuto, Nantucket Marine Superintendent.
Steve Bliven, Sarah Oktay, Kristin Mallek of the Urban Harbors Institute, University of Massachusetts Boston.

Dave Fronzuto introduced the harbor plan update process by noting that:

- The 1993 Plan was an Action Plan, including a significant number of Action Items.
- Many of these Action Items have been completed, some are still in preparation, and a few have not been completed. Those action items from the 1993 plan that were not completed or implemented may be in that state as a result of an emphasis on completing the island's comprehensive plan—which includes the downtown harbor area—rather than focusing on the harbor plan. Much of the information—reports and data— that are being used in this new plan are the result of the previous plan's action items.
- The new harbor management plan needs to address the changes that have occurred since 1993. At that time we could not predict some of the current harbor activities; houses being brought over via barge, the high-speed ferry and the resultant increase in tourism, the commercial changes we have seen downtown, the Winthrop land sale, expansions at the town pier, or the yacht club development proposal.
- At the September 28th meeting of the Board of Selectmen there will be a presentation by the contractors on this project (Urban Harbors Institute) and Truman Henson (the Cape and Islands Coordinator of Massachusetts Coastal Zone Management Program) to explain the process and the pros and cons of having the plan adopted at different levels, including whether it should be submitted to the state for approval as a Municipal Harbor Plan.
- A parallel planning process is currently ongoing on the island. The Comprehensive Plan (41-81D) will address island-wide concerns. UHI will follow its progress and try to ensure that the two efforts are complementary. UHI will also review data available from the Estuary Project and any other appropriate sources in its efforts. Where data or planning results are not available at the completion of the Harbor Plan, it would be reasonable to expect that some form of "placeholder" will be provided so that future results may be easily incorporated.

Steve Bliven, Research Associate from the Urban Harbors Institute provided an introduction to the planning team and the process to be utilized (see PowerPoint file link on home page for **Sept 20 Presentation**). He emphasized the following:

- While UHI knows the science, planning, and management aspects, it will need considerable input from the people of the island—those who best know issues and concerns unique to Nantucket. By building this information into the planning process and the resulting plan, implementation should be easier.
- UHI will review and assess the implementation of the 1993 plan to determine what was, and was not done, the reasons for not completing some action items, and whether any of the items not addressed continue to be of concern.
- UHI will do an inventory, analysis, and mapping of harbor uses and resources.
- UHI will identify harbor issues and establish goals and implementation strategies
- A draft plan will be developed, and public comment will be encouraged. The various departments responsible for implementation will also review the draft plan.
- Assuming that the draft is on target, a final plan will be submitted to the Board of Selectmen. This plan will include a list of recommendations that the Board of Selectmen will review and sort through.
- Implementation will occur in a number of ways:
 - It will likely be a combination of regulatory decisions, capital investments, and modifications of administrative programs
 - It will require considerable intra- and inter-governmental coordination
- A series of Public Input Meetings was announced. See the Public Meetings Link on the home page for further details. These meetings will be topic-specific, as opposed to this evening's more general approach.
- A website dedicated to the Harbor Plan Update process has been established at www.nantucketharborplan.com. This will include background information, the status of the planning process and a means to submit comments via e-mail. E-mail messages will go both to the Town (through Dave Fronzuto) and UHI (through Sarah Oktay) Interested people are urged to visit the web site often and use it to make comments all through the Plan Update process The web site will expand as time goes on.
- The Harbor Plan Update has a defined study area and will address issues directly affecting the harbor but, as in the case of an island-wide issue like non-point pollution, it will have to limit recommendations to reflect direct impacts on the harbor.
- The Harbor Plan Update may be more specific than the Comprehensive Plan within the planning areas around the harbors and may be more oriented toward action items; but the intent of the consultants is that the two plans not contradict each other.

The following is a summary of the comments, questions, and issues raised during the meeting, grouped by topic. **Please note that these are comments given by members of the audience which have been paraphrased for clarity when necessary. These items and issues will be investigated as to applicability to the Harbor Plan scope, accuracy of information given, and researched in regards to action or regulations already in place. No intent to favor specific recommendations in any way other than by fair and nonbiased scientific and policy review should be implied.**

Process:

- **Question:** Will the Harbor Plan allow for amendments in case things need to be changed?

Response: That depends on how the plan, or its various elements, are “approved”. If it becomes a state-approved Municipal Harbor Plan, changes would take longer because they would also require approval by the state. If the plan is locally approved, modifications could include simply adding, deleting, or modifying an action item. If one of the action items, e.g., an overlay zoning district, is implemented through town meeting, it could only be modified or deleted through the same mechanism. If the action is being implemented through an administrative action, e.g., re-orienting moorings, then a change could be implemented at the administrative level.

- **Question:** What about the overlap of this effort with other planning activities? How should citizens focus their involvement?

Response: Plans can be either topic-specific or geographically-specific. This is a geographically-specific plan. Citizens will need to determine which areas or which topics are most important to them and participate accordingly. It should be noted that UHI is meeting with other island planners on a regular basis, so plans should end up complementing each other

- The Board of Selectmen, as initiators and overseers of the Harbor Plan Update process will be the Town entity that will determine the form and approval process of the final plan.
- **Question:** Would state approval open up funding opportunities? And if so, would use restrictions follow?

Response: State approval brings state recognition of local interests, primarily through the Chapter 91 waterfront permitting process. State approval does not change land ownership, local by-laws or zoning. State approval also does not effect (either positively or negatively) the Town’s ability to attract state funds for harbor related projects.

Implementation

- Coordination between the various entities of local, state, and federal government is important – communication between departments is vital. The plan can point out this need to coordinate with others.

Water Quality

- UHI is not going to address problems with the sources of storm water runoff specifically but, if there are impacts to the harbor, can recommend that the town look into general or specific aspects relating to the topic.
- **Question:** Can UHI come up with an alternate to the Estuary Program to deal with nitrogen loading? Results from the Estuary Program seem to be delayed and nutrient loading is a big issue on the island.
Response: UHI is not equipped to do the monitoring, data collection, or the analysis that the Estuary Program has been contracted to do. What the Harbor Plan Update can do is to recommend a method for the results of the Program—when they finally are available—to be implemented.
- The island needs a good inventory of Madaket Harbor’s outfall pipes—there is already a good one for Nantucket Harbor
- Presently Madaket Harbor is open to shellfishing from Jan. 1-June 30. Hopefully the watershed-based TMDLs to be generated through the Estuary Program will reduce pollution and extend the shellfishing season.
- The Harbor Plan Update should recommend testing sites and protocols to see where pollution is coming from.

- Madaket Harbor is divided into 4 watersheds that are each pretty independent from the others and there is limited tidal flushing. Septic systems along Tennessee Avenue or other adjacent streets appear to be related to the issue of nutrient pollution.
- Volatile Organic Compounds (VOCs) may be an issue in harbor waters. They may come from use of outboard engines, road runoff, or some other source. The Plan should address these issues.

Natural Resource Protection

- The Plan should address erosion of critical areas within the study area and offer suggestions for its management. This should include consideration of natural resource protection, recreation, water circulation, etc.
- If the Harbor Plan does not include a shellfish management plan, it could suggest that the town write one, and identify some of the major issues.
- Light pollution—especially from the boat yard—is an issue in the Madaket Harbor study area. The Harbor Plan Update should consider recommending means of enforcement of the existing ordinance on the topic.

Commercial and Recreational Fishing

- As Nantucket Harbor reaches its capacity for both commercial and recreational use, Madaket Harbor will see increased pressures. This already is showing up on the use of a public dock for commercial activities. The Plan should address management of commercial activities (*e.g.*, fishing and charter boats) in Madaket Harbor as a potential (or existing) conflict with public usage of public docks. This might include establishing fees for commercial usage of public resources.
- **Question:** If Nantucket Harbor's scallop population decreases significantly, fishermen may come to Madaket and overfish there. Do existing regulations allow separate limits between Nantucket and Madaket Harbors as far as take and extent of the season?
Response: Existing management regulations already allow setting limits by Harbor.

Harbor Safety, Navigation, and Moorings

- The Harbor Management Update should address whether new dredging should be done and if a currently regularly scheduled dredging needs to be codified.
- The Plan should also consider the number and location of navigational aids.
- The Plan should address the topic of upgrading the primary Jetties leading into Nantucket Harbor—they are becoming submerged at spring tides
- Many people who have moorings don't use their boats, thereby precluding others, who would use their boats more, from getting moorings. The Plan should review the overall management of the moorings and consider time-shares and dry sailing options. Should the town manage the waterfront for things like dry-sailing and dinghy docks as opposed to building more restaurants?
- The Cathcart Road dinghy dock is full and has public access issues as well. The Plan should address ways to increase this capacity and access.
- The Plan should review mooring technologies that don't harm eelgrass.
- The Planning process should consider eliminating the rental moorings to increase the area available for private moorings.

Public Access

- The Plan should include an action plan for Warren's Landing and the Wood property. Presently it is unmanaged but could be a possible site for launching ramp, parking, dinghy ramp, or commercial boat use. It was noted that Warren's Landing is under the control of the Conservation Commission and may be legally restricted from some activities.
- **Question:** Regarding Warren's Landing—does the fact that there were federal funds used to purchase the land bind us to any federal restrictions with regard to its use?
Response: Not likely but details of the acquisition should be reviewed to get an accurate answer.
- The Plan should suggest to the Board of Selectmen that they advise the Conservation Commission to come up with a management plan for the site that includes allowing scallopers to unload there. This is of particular concern during the winter when the Creek freezes; scallopers can't get their boats out or get scallops back in. Warren's Landing doesn't freeze as easily.
- The Plan should address management of commercial activities (e.g., fishing and charter boats) in Madaket Harbor as a potential (or existing) conflict with public usage of public docks. This might include establishing fees for commercial usage of public resources.
- The Plan should address access roads to the beaches—closing these roads is problematic.
- The Plan should address the benefits and detriments of people parking on the beach.
- The Plan might consider the use of Town-owned lots for dead storage (of trailers, mooring balls, etc.)? This might allow additional room for parking. This may be an alternative to widening roads due to parking along the sides. The Plan should review whether dead storage has negative aesthetic impacts or whether there are other legal/liability issues with dead storage.

Tourism and Recreation

- The Plan should address the current use of the shore and waters for Jet-skis, kite-boarders, and other personal watercraft uses and the possibilities for conflict with use by swimmers, kayakers, etc. Projections should also be made as to future possible conflicts between traditional uses and new technologies.

Waterfront District in Madaket

- Presently there is residential-commercial (RC) zoning along the harbor. The Plan should consider changing the boundaries of the RC zone or modifying the standards of the zoning to prohibit hotels, yacht clubs, etc.