

**TISBURY WATERWAYS COMMITTEE MEETING  
MINUTES**

Thursday, January 12, 2023, at 5:00pm

**In Attendance:** Matt Hobart, Paul Munafo, Michael Baptiste, Jeff Canha, and Roger Moffat (via zoom)

**Also Present:** John Crocker, Colleen Wilson, Kim Elias, Lynne Fraker, Bob Landreth, David Medeiros, Roy Cutrer, Jay Grande, John Snyder, Doug Reece, Jake Maciel, Jason Gale Tegan Gale, Bev Potstad, Melinda Loberg and Joe Canha.

- 1) **Call to Order 05:00pm:** Matt Hobart called the meeting to order.
- 2) **Public Comment:** Lynne Fraker wanted to thank you to Matt Hobart and Kim Elias for their effort in response the open meeting law complaint. Lynne Fraker also informed the Committee that Master Plan Committee had just completed a portion that involved the Waterfront and downtown area and were going to have a meeting on February 2<sup>nd</sup>. Information is available on [tisburymasterplan.com](http://tisburymasterplan.com). Paul Munafo suggested having a future discussion regarding a section of town owned land at the top of Lake Street for the use of trailer parking to relieve the parking along Lake Street during the summer. Matt suggested possibly it on the next meeting agenda.
- 3) **Minutes:** Matt Hobart entertained a motion, Paul Munafo moved the motion and Jeff Canha seconded to approve the minutes of March 10, 2022, revised, September 15, 2022 revised and October 13, 2022 revised **(Voted 5-0)**

Matt Hobart entertained a motion, Jeff Canha moved the motion and Paul Munafo seconded to approve the minutes of November 11, 2022 and December 15, 2022. **(Voted 5-0)**

- 4) **Committee Meetings – Alternative to Hybrid Meetings if location cannot be found:** Matt Hobart asked that the committee consider alternatives to hybrid meetings if it was not possible to find a location that was not equipped to do so. After discussion Matt Hobart entertained a motion, Jeff Canha moved the motion and Paul Munafo seconded to meet either in person or via zoom if meetings cannot be held in Hybrid format **(Voted 5-0)**
- 5) **Tashmoo Dredge Update:** John Crocker informed the committee that the Tashmoo Dredge has now been completed. A post Dredge Survey is anticipated to take place on either 24<sup>th</sup> or 25<sup>th</sup> January. Once the survey has been received it will be posted on the website. After his conversations with Woods Hole Group the dredge was able to move the pipe a lot further each and were able to push a lot of sand further down. The Woods Hole group were able to mark the areas where they found eelgrass before the dredge. Lynne Fraker felt that in the future there should be more discussion as to where the sand goes before the next dredge. Paul Munafo raised the question of moving forward to a regular dredging schedule. John Crocker explained

that the dredging of the Tashmoo Channel takes place every two years. And there is not reason why it should not continue that way. Money is set aside every year from the Waterways Fund.

- 6) **Discussion: Lake Tashmoo Nitrogen Loading and Data collected regarding runoff:** Matt Hobart explained that John Packer has asked for this agenda item and that he was not present. Bob Landreth was going to a presentation at a future meeting so that he can talk about data that he had collected.
- 7) **Email received – Commercial Rules and Regulations regarding tie up, gear storage and moorings:** Matt Hobart read email received from Glen Pachico for the record *“I Glen Pachico Pachico would like to get on the Tisbury Waterways Agenda for the second Thursday, January 12, 2023 pertaining to commercial rules and regulations regarding commercial tie up gear storage, moorings, in which I have received certified mail.”* John Crocker sent a letter at the end of November reminding him of the tie up policy on the Town Pier. He had also put up signs at the pier so that information was made clear. He was having an issue with Mr. Pachico tying up and leaving his vessel unattended so he sent him a warning letter in which he cited the different violations that were possible if he continued. Although Glen Pachico was not at the meeting, he suggested that other fishermen in the meeting might like to comment. Jeff Canha stated that he had spoken to Mr. Pachico and it was at his suggestion that Mr. Pachico ask to be put on the Agenda. Jeff Canha said that understood why Mr. Pachico was disgruntled and that he truly understood the problem. Mr. Medeiros questioned whether Mr. Pachico had received the agenda. Kim Elias stated that Mr. Pachico did receive the agenda, it was sent out along with the notice to the committee and others to the email address from which his request came from. Matt Hobart stated that there seems to be a conflict arising from everyone trying to use the same space. The signage posted was taken from the current regulations. Jeff Canha recalled previous meetings with the Harbor Management Committee and wondering why he could not tie up in the off season he believed that it was agreed upon with Harbor Masters consent. That was the last discussion regarding the issue and therefore can understand his confusion. John Crocker stated that there was further communication to all the commercial fishermen asking that during the spring, fall and winter that he would relax his enforcement if they can communicate with each other and allow them to work it out otherwise he would be required to enforce the regulations. Jeff Canha said that he now understood and clarified the situation. Jason Gale felt that no one person should be able to use the dock as their own. It creates a problem if there is a boat there it creates a problem for others. There was further clarifications and discussion regarding previous violations regarding other boat time usage on the dock and gear storage. Consensus was to enforce the current regulations as written unless permitted by the Harbormaster at his discretion. After taking comments from the commercial fishers present regarding who gear is currently on the dock, user groups, communication, consideration for the dock being a public place and enforcement. Matt Hobart entertained a motion; Jeff Canha seconded the motion and Paul Munafo seconded that the Harbormaster write a letter to all the commercial fishermen in Tashmoo stating that all current regulations will be enforced without discretion **(Voted 5-0)**

- 8) **Tisbury Waterways Regulations:** Matt Hobart gave an update from the Select Board Meeting and its recommendation to return the recommended changes to the Waterways Committee for further review. There were changes that were made by the Harbor Department and there were concerns that the Select Board had. Paul Munafo suggested making a motion to revert to the version that was agreed by the committee and sent to the Select Board last year and use it as a base document. Jay Grande sent the committee over two hundred pages of materials, letters, meeting minutes, correspondence received so that the committee could see the substantive comments that were raised. He felt that the comments revealed some policy questions that needed to have some feedback on. The Finance Director also had some concerns regarding some changes. Out of respect of the people who participated in the hearing and out of respect of the committee, the Select Board did not want to move forward with changes to the document without touching base with the committee. His recommendation would be he and John Snyder be allowed to work with the committee and explain in an efficient way what those policy questions that were raised during the hearing that they need your input on. He stated that enforcement needs work, that the harbormaster needs some discretion, but protocols need to be set. He would like to be able to present at the next meeting a simple one page with some questions, give some input and return it. Jeff Canha said attended the hearings and stated that what is incorporated into them now is nothing that he is quite familiar with and that there are some things in there that he has an issue with as a private business owner, who will have to recuse himself regarding those. Paul Munafo redrew his motion. There was further discussion regarding the color coding on the document and that any deletions had been subsequently put back in the draft document. Jay Grande said he would submit his questions raised with input from John Snyder and John Crocker within two weeks before the next committee meeting for the committee, with the suggestion that it would be solitary agenda.
- 9) (Non-Agenda Item) The question was raised where the committee stood with the Dinghy Dock reconfiguration, Jay Grande said he would look into it as there might have been some confusion and stated that it would probably be on the Agenda at the next Select Board Meeting. With a short time left before usual adjournment, Matt Hobart went over future agenda items with the committee and asked committee members if there were any items they would like to add or remove.

Bob Landreth gave a report on why nitrogen concentration levels in Tashmoo and Lagoon Pond have become an important topic recently. The reason is that Mass DEP, in a June 2022 letter to the town, demanded that the town come up with a plan to deal with what they view to be excessive nitrogen levels in Tashmoo, based on data collected by the MVC and possibly other agencies over many years. The standard for maximum nitrogen concentration was set out in the 2015 Mass Estuaries Project report for Tashmoo. Meeting that standard will require that a certain amount of nitrogen be removed every year. The town will have two options for meeting the standard: either they adopt what amounts to a septic system modification program and complete it within five years, or apply for a waste water permit (can we make this "Watershed Permit" which is the correct title, even though I didn't use that term?) which will give the town

twenty years to work through a plan that it views as more acceptable. Bob has been testing the stormwater coming out of the W. Spring Street drainpipe into Tashmoo for fecal coliform.

06:28pm Paul Munafo made a motion to adjourn, and Jeff Canha seconded. **(Voted 5-0)**

Documents:

Draft Minutes

Letter to Ms. Fraker from Mass Attorney General Office

Draft Changes to Waterways Regulations