

**Harbor and Shellfish Advisory Board  
Tuesday, April 6, 2021 at 5:00 p.m.  
Community Room, 4 Fairgrounds Road  
\*HSAB meeting are video-recorded and  
available at Nantucket Government TV on YouTube**

**Members present:** Andy Lowell, Dave Fronzuto, Peter Brace,  
Tom Szydlowski, Ginger Andrews, Dave Bossi

**Members Absent:** Dan Pronk

**Marine Dept:** Sheila Lucey

**Natural Resources Dept:** Tara Riley

**Others:** Kona Hosier, Brian Bushard

**CALL TO ORDER**

5:00 p.m.

**APPROVAL OF AGENDA**

At the request of Mr. Brace, Mr. Lowell asked Ms. Lucey to update the HSAB on the progress of the proposed dinghy permitting and storage.

**Draft minutes of March 2, 2021**

Ms. Andrews noted two minor typos. The HSAB approved these minutes, 6-0.

**Draft minutes of March 16, 2021**

Approved 6-0.

**CHAIRMAN'S REPORT**

**April 15 – Nantucket Waterkeeper informational forum –  
registration link: <https://bit.ly/3lbku83>, YouTube viewing link:  
<https://bit.ly/3ey68O0>**

## **MARINE DEPARTMENT REPORT:**

### **General Marine Department report – Sheila Lucey**

Ms. Lucey reported she began installing the dinghy docks at the Town Pier, repaired the wave attenuator at the end of the pier and replaced a piling for floating docks.

Ms. Lucey reported that she's starting to plan for the installation of her aids to navigation in the harbors. She added that she's nearly completed the hiring of the 55 lifeguards she needs for this season. She said she anticipating being busy on the beaches earlier this season.

Ms. Lucey reported that the Select Board has yet to set a public hearing date for the proposed liveaboard regulations amendment. She explained that she is working with the U.S. Coast Guard to develop regulations that requires vessels used as Airbnbs must have either the owner of the vessel or a licensed captain on board. But she added that the Town probably won't be banning vessel Airbnbs

Mr. Fronzuto reminded the board that the Town's regulations don't allow subletting of moorings. Ms. Lucey agreed.

Ms. Lucey reported that she continues to work on the proposal to require permits for dinghies used by mooring owners/renters who store their dinghies in racks in front of Monomoy at Berkley Avenue and Cathcart Road. She added that people without moorings who own dinghies, paddleboards and kayaks who store them on these racks would also be required to obtain a permit. Ms. Lucey said the Land Bank might be making more racks and she said more racks could be installed at a new Land Bank property on Washington Street and also on Francis Street beach. Mr. Fronzuto told Ms. Lucey to get it in writing from the Land Bank that it will build and install more dinghy racks and to have Land Bank staff attend whatever Select Board public hearing happens on this matter.

Mr. Fronzuto said that there should be an annual Town Pier slip lottery for at least 35 to 40 people at the Town Pier. He added that

boaters shouldn't have to give up their moorings if they get a slip at the Town Pier.

Mr. Szydlowski said on the dinghy issue, it seems like the Berkley site is more of an issue. He said that there is more room at the Cathcart site and that there is more parking at Land Bank parking lot at Cathcart Road, but less at Francis Street beach and Washington Street Extension.

Mr. Szydlowski said he does not agree that boat owners who get a slip in the slip lottery and then be able to keep that slip year after year. Mr. Szydlowski said that the slip lottery is poorly advertised each year and the lottery feels like an “inside job”. He added that no one was properly notified that those who won the slip lottery in fall 2020 would get to keep their slip for as long as they wanted to. Ms. Lucey said that the slip lottery is legal. Ms. Lucey agreed with Mr. Fronzuto on keeping 35-40 slips in annual slip lottery. Ms. Lucey listed the location of the slip lottery regulations within the Code of the Town of Nantucket. Mr. Lucey said that per Town regulations, the annual slip lottery held in October is advertised in the newspaper.

Mr. Brace acknowledged Mr. Szydlowski’s concerns and agreed the slip lottery change of getting a slip for life needs to be better publicized. Mr. Brace said the Town does what it’s required to do get the word out and that people want to know the information on a given meeting or issue will seek out the information. He agreed that the slip for life issue should be better publicized. Ms. Lucey said she would also advertise the slip lottery on social media but that she has advertised as she is required to.

Mr. Szydlowski said he wanted to ensure that boaters currently with slips at the Town Pier don't get their slips forever if this amendment to the regulations is adopted by the Select Board. He added that he’d be happier if the slip lottery was better advertised and that the slip for life part was left out. Mr. Fronzuto clarified the proposed changes impacts the 2022 slip lottery to be held on the last Friday of October. Mr. Szydlowski said he’d be happy if some of the slips were annual with some of them being slips for life.

Ms. Lucey said there could be a wait list for the Recreational A slip list, which would be lifetime slips and an annual Recreational B slip lottery for 40 slips. Mr. Fronzuto liked this idea and said he would support it. He added that the board should vote on this and that it should send a letter formalizing its vote to Ms. Lucey. Ms. Andrews agreed with this effort. She added that if someone gets a perpetual slip at the Town Pier, they should give up their mooring. But those in the annual lottery should be able to keep their moorings when they get a slip at the Town Pier.

Mr. Brace agreed to write this letter and send it to Ms. Lucey after the meeting.

Mr. Fronzuto made a motion that the Recreational A slip list of 40 slips would be perpetual, that there would be a wait list for these slips and a lottery every other year for slips in this category. He further motioned that boat owners in Recreational A would be required to give up their moorings. Mr. Fronzuto further motioned that there should be an annual Recreational B slip lottery for 40 other slips and that these slip users would not have to give up their moorings. Mr. Szydowski seconded this motion. The HSAB voted 6-0 to approve this proposed amendment to the Town Pier slip lotteries.

Ms. Lucey left the meeting at 5:54 p.m.

## **NATURAL RESOURCES REPORT**

### **General Natural Resources Department report – NRD staff**

Ms. Riley reported the bushel count for the 2020/2021 commercial scallop season is approximately 8,000 bushels but that she would be providing a final number at an HSAB meeting in the near future.

Ms. Riley reported that the NRD opened Sesachacha Pond on April 1 and that it closed on March 5 and the NRD opened Hummock Pond on April 5 and was still open as of this meeting.

Ms. Riley reported that the hatchery set roughly six million oysters on oyster shells in the hatchery and another 6.5 million that will be

set on an artificial reef in front of Medouie Creek. She reported that the recent bay scallop spawn class is 1.5 millimeters in size. She added that the next scallop spawn is April 26 with five more spawn after that.

Ms. Riley didn't have any news on the placement of the Jersey barriers at Millie's Bridge. She said the NRD does have permits to open Miacomet Pond in emergency flooding situations.

Ms. Riley said the NRD is applying for a municipal vulnerability grant to fund this year's eelgrass surveys in the harbors. She added that early results from the 2020 survey say that eelgrass coverage is down around 20 percent overall.

Mr. Fronzuto asked if the Division of Marine Fisheries have said why Madaket Harbor remains closed east of a line from Jackson Point to Warren's Landing. Ms. Riley said on a town level, the area is unenforceable.

Ms. Andrews asked what eelgrass loss is over the last 20 years is.

Ms. Riley said that in 2006, eelgrass coverage was 55.6 percent to 22.4 percent in 2020.

Mr. Lowell asked for Ms. Riley's opinion on the impacts of shifting sand on eelgrass beds. Ms. Riley said the harbor surveys continue to be a good way to track this. Ms. Andrews said these are a lot of factors to consider on this topic.

## **PUBLIC COMMENT ON MARINE DEPARTMENT / NATURAL RESOURCES REPORT**

### **OLD BUSINESS**

#### **Update on proposed amendments to boat Airbnb and liveboards regulations**

Handled under Marine Department Report.

#### **Oyster lease permit review – Discussion**

Mr. Lowell that the HSAB previously directed NRD director Jeff Carlson to handle this issue when oyster lease holder Ted Lambrecht's deadline of April 15 arrives.

**Excessive sand in scallops/dredging plan - Discussion**  
Discussed in the Natural Resources Department Report.

## **HEALTH OF THE HARBORS**

### **Excessive lawn fertilizer use – Update & discussion**

Mr. Lowell asked Ms. Riley when applicators can start spreading fertilizers. Mr. Riley said she thought it was April 15. She added that the fertilizer regulations might be amended in the near future.

**FDA shellfish taking prohibition in mooring fields**  
No discussion.

## **NEW BUSINESS**

## **PUBLIC QUESTIONS AND COMMENT**

## **RECAP and ITEMS FOR NEXT MEETING**

## **ADJOURN**

## **YOUTUBE MEETING LINK**

<https://www.youtube.com/watch?v=joaPfENdeLY&list=PL49sKqpy7VAj6nJnAlrlKlxWm6VQTfuXg>

### **Future Meetings:**

April 20 and May 4

Respectfully Submitted,  
Peter B. Brace, Secretary

