

**Newburyport Harbor Commission**  
Harbormaster's Facility  
December 14, 2017  
Minutes

**1. Call to Order**

Vice Chair Justin Dutcher called a meeting of the Newburyport Harbor Commission to order at 7:00 p.m. In attendance were Adam Armstrong, Bob Dow, Justin Dutcher, Jay Lesynski, Chris Kealey and Dan May. Andrew Casson and Jamie Knapp were absent.

**2. Minutes**

Dan May moved to approve the minutes of the November 12, 2017, meeting as submitted. Chris Kealey seconded the motion. The motion was unanimously approved.

**3. Open Discussion**

**House Float Ordinance**

Paul Hogg was copied on a letter from Ben Lynch of Mass DEP regarding the Yankee Landing Marina Chapter 91 license. The license, which was issued in 1997, authorizes certain structures and uses exclusively to provide a public recreational boating facility. Mass DEP has observed that four floats with residential structures on them have been berthed at the pile-supported northern float system for extended periods. It appears these structures are in violation of 310 CMR 9.32, which prohibits stationary vessels that consist of platform-like structures, such as barges, that were built or modified to serve primarily as supports for new buildings from being located below the high water mark. A separate code prohibits any non-water dependent facilities of private tenancy on pile-supported structures in the tidelands. Mass DEP will investigate the matter further and take appropriate action.

A subcommittee consisting of Bob Dow, Andrew Casson and Jamie Knapp has been formed to draft a house float ordinance that will be reviewed by the other members of the Commission. The ordinance should include a provision that a watersheet application would be required for any structure on the water that is not powered or has the ability to be powered on the grounds that it functions like a dock.

**Dredging**

Adam Armstrong will attend a meeting of the Merrimack River Beach Alliance scheduled for Friday, December 29. Jay Lesynski spoke with Ed O'Donnell of the Army Corp. and is working to arrange for him to visit Newburyport. The members discussed the need for on-going maintenance rather than a one-time dredge.

**Joppa Boat Ramp**

The ramp will be improved and its existing dimensions will not be changed.

**Group Mooring Permit**

The discussion of the group mooring permit application was tabled to the next meeting.

#### **4. Long-term Planning**

The two priority items for long-term planning are the house float ordinance and dredging.

#### **5. Harbormaster Department Finances**

Justin Dutcher reviewed charts he prepared showing the department's historical income, historical expenses, recent personnel expenses and the recent purchases of services and supplies. Over the past ten years the largest source of income has been the slips and moorings, followed by the Plum Island parking lot, excise taxes, the waterfront docks and Cashman Park.

#### **6. Harbormaster's Report**

Paul Hogg submitted a written report that stated:

- All of the boats have been shrink wrapped and winterized.
- The south bound lane of the Whittier Bridge is now open to traffic.
- The Gillis Bridge will be closed to marine traffic between January 2 and April 15 for maintenance. There were major problems this past summer with the bridge becoming stuck in the open position.
- He met recently with the Salisbury Harbormaster and Coast Guard about the issue of fishing in the mouth of the river. The towing procedures were reviewed and increased enforcement is planned for the upcoming season.
- He plans to assist with distributing educational information for boaters in the North Shore Harbormaster Association booth at the Boston Boat Show.
- He has been working to complete the installation of cameras, which will be very beneficial to the department. The cameras should all be operational in January.
- He will host this year's Mass. Shellfish Officer meeting. A tour of the Newburyport Shellfish Purification Plant on Plum Island will be followed with a meeting at the Senior Center for approximately 40 shellfish constables. The agenda will include updates on the Mass. oyster projects, marine fisheries and new regulations.

#### **7. General Business**

- The American Yacht Club would like an additional "no wake" buoy.
- Jay Lesynski will test for stray electrical currents in the water.
- Jamie Knapp will be asked about the status of the advertisement for the vacancy on the Commission.

#### **8. Public Comment**

None

#### **9. Adjournment**

Bob Dow moved to adjourn the meeting at 8:00 p.m. Dan May seconded the motion. The motion was unanimously approved. The next meeting of the Newburyport Harbor Commission will take place on Thursday, January 11, 2018.