

**HARBOR/WATERFRONT COMMITTEE MEETING**  
**APRIL 26,2007**  
**FALMOUTH TOWN HALL**  
**8AM**

**PRESENT:** STEVE ARCHAMBAULT, PETE LEAVITT, BILL OLIVER, JOHN WINSLOW, MANNY KOURINOS, JAY HALLETT, RICHIE GARRETT, KEVIN CADY(ACTING HARBOR MASTER), DAVE LIBBY (COUNCIL LIASION)

**ITEM 1      CALL TO ORDER**

MEETING CALLED TO ORDER AT 8:05 AM

**ITEM 2                      CHAIRPERSON COMMENTS**

STEVE OPENED THE MEETING STATING THAT THE PURPOSE OF THIS MEETING WAS TO ADDRESS APPEALS MADE TO THE HARBOR COMMITTEE. FOUR WERE FOR LATE FEES AND ONE WAS FOR A DINGHY STICKER.

**ITEM 4      GENERAL OPENING DISCUSSION**

COMMITTEE MEMBERS WERE POLLED ON THEIR GENERAL POSITION ON THE LATE FEES AS THEY PERTAINED TO THE 4 LATE FEE PETITIONS ON HAND. REASONS FOR THEIR POSITIONS WERE STATED FOR THE RECORD. PETE LEAVITT, MANNY KOURINOS, AND RICHIE GARRETT ALL EXPRESSED A POSITION TO GRANT EXEMPTIONS FOR THESE APPEALS. STEVE ARCHAMBAULT AND BILL OLIVER EXPRESSED A HARD LINE POSITION. JAY HALLETT, AND JOHN WINSLOW EXPRESSED A DESIRE TO TAKE APPEALS ON CASE BY CASE BASIS.

**ITEM 5      ROBERT VITALIUS APPEAL**

STATED HANDY BOAT TOOK CARE OF THE PROCESS LAST YEAR-- THOUGHT HANDY HANDLED IT AS PART OF THEIR MEMBERSHIP DISCUSSION ENSUED---MOVED TO A VOTE- APPEAL GRANTED ON A 4-3 VOTE

**JOHN WATSON APPEAL**

STATED THAT HE LIVED OUT OF STATE-- MAIL WENT TO HIS SISTER'S HOUSE IN SCARBOROUGH WHERE HE SUMMERED-- MOORING APPLICATION WAS NOT FORWARDED UNTIL LATE NOTICE WAS RECEIVED. DISCUSSION ENSUED--MOVED TO A VOTE-- APPEAL DENIED ON A 4-3 VOTE

MANNY KOURINOS NEEDED TO LEAVE AT THIS POINT BUT STATED FOR THE RECORD THAT HE WAS IN FAVOR OF GRANTING THE REMAINING 2 APPEALS.

**JOHN VAN C. PARKER APPEAL**

STATED HE WAS A FALMOUTH RESIDENT FISHERMAN FOR OVER 30 YEARS AT WAITES LANDING. HISTORICALLY HE RENEWED BOTH LOBSTER AND MOORING APPLICATION AT THE SAME TIME. BRIEF DISCUSSION ENSUED--MOVED TO A VOTE--APPEAL GRANTED ON A 5-2 VOTE.

**ARTHUR JOHNSON APPEAL**

STATED HE OPENED MOORING APPLICATION AND REVIEWED IT BRIEFLY. SUGGESTED THAT A PRE NOTIFICATION MEMO SHOULD HAVE BEEN SENT OUT NOTIFYING MOORING HOLDERS TO OPEN THEIR MOORING APPLICATIONS. BRIEF DISCUSSION ENSUED--MOVED TO A VOTE--APPEAL DENIED ON A 4-3

VOTE

A DECISION WAS MADE BY THE COMMITTEE AT THIS POINT TO TAKE UP THE KERRS APPEAL CONCERNING THEIR DENIAL OF A DINGHY STICKER

**ITEM 6            KERR DINGHY STICKER APPEAL**

A BRIEF DISCUSSION TOOK PLACE CONCERNING THE PARTICULARS OF THIS SITUATION INCLUDING THE KERR'S APPEARANCE AT A TOWN COUNCIL MEETING PETITIONING FOR SPECIAL CONSIDERATION FROM THE COUNCIL TO GRANT THEM A DINGHY STICKER. ALSO MENTIONED WAS A LETTER SENT TO THE COUNCIL, THROUGH DAVE LIBBY, REQUESTING THAT THE COUNCIL TAKE NO ACTION AND LET THE APPEALS PROCESS PROCEED AS OUTLINED IN THE COASTAL WATERS ORDINANCE. THE KERRS WERE ADVISED TO FOLLOW THIS PROCESS.

DAVID AND CAROL KERR APPEALED THE HARBOR MASTER'S DECISION TO DENY THEM A DINGHY STICKER. THEY OUTLINED THEIR APPEAL IN A SEVEN ITEM APPEALS LETTER. THE LETTER MENTIONED THAT THEY NEVER RECEIVED NOTIFICATION OF THE DINGHY APPLICATION/LOTTERY PROCESS SCHEDULED TO TAKE PLACE ON SATURDAY APRIL 7<sup>TH</sup> AT 10AM, THE TOWN HALL.

DISCUSSION ENSUED. THE FACT THAT THEIR MOORING APPLICATION WAS RECEIVED AFTED THE DEADLINE AND PROCESSED AFTER THE DINGHY STICKER LOTTERY HAD BEEN COMPLETED, WAS A MAJOR FOCUS OF COMMITTEE DISCUSSION. AFTER DISCUSSION THE APPEAL WAS MOVED TO A VOTE. APPEAL WAS DENIED ON A 6-0 VOTE(1 MEMBER NOT PRESENT TO VOTE)

TOWN COUNCIL MEMBER REACTION TO LEARNING INFORMATION NOT INCLUDED BY THE KERRS DURING THEIR APPEARANCE BEFORE THE TOWN COUNCIL WAS READ INTO THE RECORD.

**ITEM 7            MOTION TO ADJOURN**  
MEETING ADJOURNED AT 9:20AM

RESPECTULLY SUBMITTED  
STEVE ARCHAMBAULT