



**Jamestown Harbor Commission Meeting
Wednesday, March 13, 2024 at 5:00 PM
Jamestown Town Hall
93 Narragansett Avenue, Jamestown RI 02835**

AGENDA

- I. Call to Order and Roll Call
- II. Approval of Meeting Minutes – Review, discussion, and/or potential action and/or vote
 - A. February 14, 2024
- III. Open Forum
 - A. Scheduled Requests to Address
 - B. Non-Scheduled Requests to Address
- IV. Executive Director/Harbormaster Report – S. Bois
- V. Year-to-Date Financial Report
- VI. Sub-Committee Reports
 - A. Budget – S. Romano - Review, discussion, and/or potential action and/or vote;
 - B. Facilities – W. Banks & J. McCarthy - Review, discussion, and/or action and/or vote;
 - C. Mooring Implementation – D. Wurzbacher & M. Campbell - Review, discussion, and/or action and/or vote;
 - D. Gould Island Restoration – W. Banks & M. Campbell- Review, discussion, and/or action and/or vote;
- VII. Liaison Reports
 - A. Conservation Commission – B. Laman – Review, discussion, and/or action and/or vote;
 - B. Town Council Liaison Report – R. White – Review, discussion, and/or action and/or vote;
- VIII. Old Business
 - A. Public Meeting: For Proposed Amendments to the Comprehensive Harbor Management Plan – Review, discussion, and/or action and/or vote;
 - B. Proposed Amendments to the Harbor Management Ordinance – Review, discussion, and/or action and/or vote;
- IX. Correspondence
 - A. Letters and diagrams from Joseph Pinheiro regarding Ft. Getty Pier
- X. New Business
 - A. Appeal: Discussion and possible action to hear appeal of Josh Furtado to Outhaul Permit Revocation – Review, discussion, and/or action and/or vote;
- XI. Open Forum – Continued (If Necessary)
- XII. Adjournment

Pursuant to RIGL § 42-45-6(c) Notice of this meeting shall be posted on the Secretary of State's website and at the Town Hall, at the Jamestown Police Station and on the Internet at www.jamestownri.gov.
ALL NOTE: This meeting location is accessible to the physically challenged. If communications assistance is needed or other accommodations to ensure equal participation, please call 1-800-745-5555, or contact the Town Clerk at 401-423-9800, or email to rfagan@jamestownri.net not less than three (3) business days prior to the meeting.

Posted on the RI Secretary of State website March 8, 2024

**TOWN OF JAMESTOWN
HARBOR COMMISSION**

Approved:

A meeting of the Jamestown Harbor Commission (JHC) was held on Wednesday, February 14, 2024 at 5:00 p.m. in the Town Council Chambers of the Jamestown Town Hall, 93 Narragansett Avenue, Jamestown, Rhode Island.

I. Call to Order and Roll Call

Chairman Wayne Banks called the meeting to order at 5:00 p.m.

Present:

Wayne Banks, Chairman
Sue Romano, Commissioner
Mark Campbell, Commissioner
Tom Alexander, Commissioner

Absent:

Dan Wurzbacher, Vice-Chairman
Jessica McCarthy, Commissioner
Jim Archibald, Commissioner

Also in Attendance:

Steven Bois, Executive Director
Joan Rich, Harbor Clerk
Bob Laman, Conservation Commission Liaison

II. Approval of Meeting Minutes – Review, discussion, and/or action and/or vote;

A. January 10, 2024

Commissioner Romano moved to approve the minutes of the meeting held on Wednesday, January 10, 2024 and Commissioner Campbell seconded. So voted: 4 aye, 0 nay.

B. Mooring Sub-Committee – February 6, 2024

Chairman Banks moved to approve the minutes of the Mooring Sub-Committee meeting held on February 6, 2024 and Commissioner Romano seconded. So voted: 4 aye, 0 nay.

III. Open Form

A. Scheduled Requests to Address

There were no scheduled requests to address.

B. Non-Scheduled Requests to Address

There were no Non-Scheduled Requests to Address at this time.

IV. Executive Director/Harbormaster Report – S. Bois

Executive Director Bois stated that the Town is still waiting for a structural engineering report and cost estimate for the repairs to the Ft. Getty pier, there has been a delay due to weather. The Town is still in negotiations with the operators of the Jamestown-Newport Ferry regarding an agreement for using the concrete touch and go dock at East Ferry. Executive Director Bois gave a presentation about the status of Gould Island at the January 24th Newport City Council meeting. The City Councilors agreed to a resolution supporting the Town of Jamestown in its efforts to open Gould and Dutch Islands to the public. There is interest by the Town Administrator and the Town Council to regulate how charter boats are using Jamestown's public touch and go docks. Some charters have been loading and unloading passengers on the outer touch and go docks, which is not the intended purpose of those docks. Executive Director Bois has heard from some boaters that they do not get enough notice of the changes that have been taking place this year and plans on sending out notices via Online Mooring of major changes to boating regulations. The Town Council agreed to the sale of Freedom, and it is on the government auction website. Executive Director Bois is working on hiring another harbormaster along with a summer intern. Commissioner Roman stated the Housing Authority had just hired an intern and 75% of the salary will be funded through the Governor's office.

V. Year-to-Date Financial Report

The year-to-date financial report was not available.

VI. Sub-Committee Reports

A. Budget – S. Romano – Review, discussion, and/or action and/or vote;

Commissioner Romano had nothing to report.

B. Facilities – W. Banks and J. McCarthy – Review, discussion, and/or action and/or vote;

Chairman Banks stated facilities would be discussed later in New Business.

C. Mooring Implementation – D. Wurzbacher and M. Campbell – Review, discussion, and/or action and/or vote;

Commissioner Campbell stated the Mooring Sub-Committee met the prior week and the results of that meeting would be discussed later in New Business.

D. Gould Island Restoration – W. Banks and M. Campbell – Review, discussion, and/or action and/or vote;

Executive Director Bois stated the Army Corps of Engineers will have a meeting on May 16, 2024 in the Jamestown Town Council Chambers to provide a summary of the contamination of Gould Island and the mitigation plan.

VII. Liaison Reports

A. Conservation Commission – B. Laman – Review, discussion, and/or action and/or vote;

Commissioner Larman stated the Conservation Commission did not meet last night because of the storm so he had nothing to report.

B. Town Council – R. White – Review, discussion, and/or action and/or vote;
Councillor White was not in attendance.

VIII. Old Business

A. Comprehensive Harbor Management Plan – Review, discussion, and/or action and/or vote;

Executive Director Bois stated that he would ask the Harbor Commission for a vote to hold a public hearing on the Comprehensive Harbor Management Plan at the next Harbor Commission meeting on Wednesday, March 13, 2024 at 5:00 p.m. The draft plan is on the town's website as well as the Harbor page on the website. The notice of the public hearing will also be advertised in the Jamestown Press. Commissioner Romano made a motion to hold the public hearing on Wednesday, March 13, 2024 and Chairman Banks seconded. There was no discussion. So voted: 4 aye, 0 nay.

B. Harbor Management Ordinance – Review, discussion, and/or action and/or vote;
Executive Director Bois stated that he will be meeting with Town Administrator Mello and a Town Council member the last week of February to review the Harbor Management Ordinance. The draft ordinance is also on the Town website.

IX. Correspondence

A. Email from Josh Furtado

Chairman Banks made a motion to accept the email from Josh Furtado into correspondence and Commissioner Romano seconded. There was no discussion. So voted: 4 aye, 0 nay.

B. Letter from William and Mary Brennan

Chairman Banks made a motion to accept the letter from William and Mary Brennan into correspondence and Commissioner Romano seconded. There was no discussion. So voted: 4 aye, 0 nay.

X. New Business

A. Mooring Policy Changes – Review, discussion, and/or action and/or vote;
Executive Director Bois stated he is proposing the following mooring policy changes to improve the length of time people are on the wait list and increase public access to the water:

1. Enforce proof of vessel registration;
2. Enforce 20-day mooring occupancy rule;
3. Must have a registered boat when a wait list person comes in to the top 5 on the wait list. There was some discussion about this requirement due to the length of the wait list in East and West Ferry – a person could be on the wait list another ten years when they get to the top 5 on the wait list;
4. Allow only one 1-year grace period;
5. Promote temporary use system by a wait list person for a mooring in a grace period;
6. No new moorings to private businesses;
7. No new moorings to yacht clubs;
8. Limit number of moorings to 1 only in East Ferry and Dutch Harbor. Riparian property owners must go on the wait list for a second mooring;

9. A person on the wait list for East Ferry and Dutch Harbor can only reject a mooring offer once, then they are off the wait list;
10. A boat must be seaworthy, as determined by the harbormaster;
11. Harbor areas cannot have a kayak or a dinghy on a mooring;
12. Limit a person to two areas on the wait list;
13. A boat owner must notify the harbormaster via phone/text/Channel 16 that the boat is on the mooring for the season.

There was some discussion on these items. Commissioner Romano had a question on the insurance requirement for all vessels, but the Harbor Commission voted to only require insurance for the outhauls. Chairman Banks then opened discussion to those in the audience.

Richard Lawlor of Stanchion Street recommended the Harbor Commission require insurance for vessels on moorings, not just for those on outhauls. He also stated there must be a specific definition of seaworthiness of a vessel. Mr. Lawlor addressed the proposal of no new yacht club moorings by stating that he is a member of an area yacht club that uses the assigned Jamestown mooring, and that yacht club moorings are economic drivers to the town because users go to dinner and shop.

Donald Salisbury of Wickford, who has a mooring in Jamestown, commented about some of the proposed regulations and also questioned how far a mooring can be from shore.

Jeff Boal of Ft. Getty Road commented that the Harbor Commission to be very public with all the proposed rule changes.

Bruce Underhill of Priscilla Road commented he was having difficulty determining where he is on the wait list.

Brandon Sommers, the manager of Jamestown Boatyard, commented that the language regarding owning a boat when a person gets near the top of the wait list should be very specific because it is easy to get a boat when a person is looking in the smaller size range, but when a person is looking at a 60-foot boat it is much more difficult to find something in a short period of time. There are several private moorings located within the Jamestown Boatyard mooring field and feels there may be some pushback to the temporary use permit due to wear and tear on the chain and tackle. He also feels that requiring insurance is a good idea, as most of the boatyards/marinas require insurance. The seaworthiness clause should also address houseboats, and he feels yacht club moorings do bring business to Jamestown, so language should be very specific to address usage of the moorings. Mr. Sommers also addressed the abandoned mooring issue.

B. Public Meeting: Discussion and Possible Action to Order to Advertise in the Jamestown Press; Notice of a Public Meeting to take place on March 13, 2024, at 5:00 p.m. for Proposed Amendments to the Harbor Management Plan;
This item was voted on when it was addressed in Old Business.

C. Use of Town Pier in East Ferry by Charter Boats and Educational Institutions – Review, discussion, and/or action and/or vote;

Executive Director Bois stated that Town Administrator Mello is seeking input in developing a draft set of rules and seasonal fees for the management and use of the two outer touch and go docks and the inner ferry dock after observations last summer that the touch and go docks were used charter vessels and non-profit vessels. There was some discussion.

Steve Land, who is the Harbormaster for the City of Newport, spoke to the Harbor Commission regarding how Newport deals with charter and non-profit vessels. He also stated that Newport had the same issues with moorings and wait lists when he began working there. There was some discussion.

D. Ft. Getty Pier Repairs – Review, discussion, and/or action and/or vote;

Executive Director Bois stated that the estimates to repair the Ft. Getty pier right now are between \$350,000 and \$500,000 from three different vendors, to replace the deck and up to 20 stringers. The material and structural analysis will begin next Monday or Tuesday. There was some discussion about where the funding would come from, and would the repairs be such that it could withstand more storms. Chairman Banks made a motion to move forward with the repairs to the Ft. Getty Pier and Commissioner Romano seconded. So voted: 4 aye, 0 nay.

XI. Open Forum – Continued (If Necessary)

None.

XII. Adjournment

There being no further business, Chairman Banks made a motion to adjourn and it was seconded by Commissioner Romano. So voted: 4 aye, 0 nay. The meeting adjourned at 6:16 p.m.

Attest,

Joan Rich, Harbor Clerk

March 13 Executive Director Report

Fort Getty Analysis completed, report provided, cost update in work
Ferry meeting held, pier costs in discussion, Ferry touch and go remains free
HM Freedom Sold, \$60,200, Reagan Marine Construction
HM Ribcraft ordered
Kayak permit wait list reduced, about 50% of last year's, 98 as of now, last year about 195 in August
About 330 permit holders with no registrations or expired so 50%, emails to them late March, due 31 May.
26 outhauls with no registration, 60%
HMP Feedback from community
Mooring wait list time reduction votes needed, Other HMs here

Exec Director Plans for March-April

Fort Getty reconstruction begins
Harbor Ordinance into TA, TC review
Harbor Intern interviews, Harbor Master interviews
Open mooring permit distribution begins—58 so far
 9 temporary use moorings offered, East, West Ferry, Park Dock so far
 37 mooring openings in non-harbor areas
 5 moorings relinquished voluntarily
 6 non renewals by required date, no response to certified mail
 1 termination, no longer owns riparian property, sold in 2021, still has guest mooring
Exploring additional moorings in Park Dock, Cranston Cove with DEM and CRMC

March 13 Votes needed

HMO states ratio in East/West harbors shall be 60% private, current ratio is about 35% private, 65% commercial
Harbor Management Ordinance opportunities
 Must have boat registration proof for all, Riparians included, must show by 31 May
 Must show evidence of boat ownership/registration when enter top 3 spots on wait list
 No new moorings to businesses, No new moorings to yacht clubs
 1 Grace period only, request for 2nd must be temporary use if public access available
 In East/West harbor areas, limit 1 mooring per property address/household
 Riparians can have 2nd guest mooring but go on wait list, not automatic
 1 outhaul permit per property address/household only
 Limited to 1 offer rejection, then removed from wait list (not temporary use option)
 Limited to 2 mooring areas, 2 boat sizes on wait list
 Vessels must be worthy of mooring/outhaul, seaworthy, HED/HM decides
 No dinghy, no kayak, no canoes on moorings or outhauls
 Must notify HM when boat on mooring via email, phone, text, VHF Channel 16, stop by

Not discussed in Feb, new opportunities:

Season for 20-day occupation is 1 June to 30 September, outside that period must notify HM
If have mooring, no outhaul. If have outhaul, no mooring.
Constrain Visiting Yacht Clubs with existing moorings, to one mooring only, cancel 2 permits
Joshua Furtado appeal, vote to allow his appeal before you, you have his citation letter

Wait List	Count	Wait
East Ferry	19	2 years
Fort Getly	11	2 years
Head's Beach	22	2 years
Maple Avenue	47	2 years

332 mooring waiting list

Wait List	Count	Wait
A	1	1 year
C	108	16 years
CMC	8	8 years
D	181	21 years
E	13	11 years
F	11	22 years
G	2	1 year
H	8	1 year

Meeting Packet Enclosures:

Appeal letter from Wickford yacht club

Citation letter for Joshua Furtado

HMP Changes Memorandum

Current Permits:

Taunton Yacht Club: 25

West Bay YC: 401-658-1835

Wickford YC: 120

Quonsett Davisville

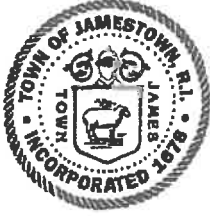
Jamestown YC:

Wait List:

Newport YC

Essex YC

Baldwin YC



TOWN OF JAMESTOWN

Harbor Department

250 Conanicus Avenue, Jamestown RI 02835

Tel: (401) 423-7190 Fax: (401) 423-3710

Date: 11 December 2023

From: Jamestown Harbor Director

To: Jamestown Town Administrator

Subject; Request for Town Council review of the Harbor Management Plan 2024 edition.

The Harbor Commission unanimously approved the new version of the Harbor Management Plan during the November 2023 meeting and it is now ready to move into the Town Council for review. I have had a number of meetings with Harbor Commission members and with Kevin Cute at CRMC to discuss the list of changes to the 2018 edition needed to make this summary of Jamestown's harbors and waterways the most current. I have also had discussions with Ben Goetz and Conor McManus at DEM.

I can produce additional copies of the redline document versions if needed. The below list here shows you the most significant changes. Enclosed with this request letter is an excel spreadsheet which provides more detailed explanations of each change. Please note that these page numbers apply to the redlined version of the document only.

Page 4	Removing references to Parking Committee reports	No longer have a PC, now under public works, planning
Page 8	Removing lease agreement dollar values	No necessary content, covered in other documentation available to public
Page 14	Removing discussion about non-conforming mooring fields	No longer non-conforming, Park Dock, Heads Beach, Cranston Cove
Page 17	Remove shellfish harvest Potters and Sheffield cove	No longer allowed by DEM
Page 23	Update Marina names to TPG	No longer CMS
Page 24	Change CMS business description	No running ferry, few moorings, general store
Page 25	Update Town Facilities and HC roles	HC monitors, supports, maintains Kayak Rack use numbers
Page 26	Update steel pier use by lease agreement	General public no longer allowed access and is under TPG use
Page 27	Update Wood Pile Pier use and Fort Wetherill Boat Owners lease statement	Clarifying public access to WPP and FWBO lease term
Page 29	Update Fort Getty pier description.	No electricity available, plans to improve condition.



TOWN OF JAMESTOWN

Harbor Department

250 Conanicus Avenue, Jamestown RI 02835

Tel: (401) 423-7190 Fax: (401) 423-3710

Page 29	Update TPG Dutch Harbor name and lease terms	New marina owners Dutch Harbor. No longer manage outhauls or dinghy dock rental
Page 31	Update parking conditions East Ferry	2019 parking report details
Page 33/34	Update mooring classes 1b, 2a, 2b	Those classes no longer allowed by DEM, some grandfathered, may not issue any new
Page 35	Update marina names, use of online mooring database	CMS to TPG East/West, Safe Harbors JBY etc., must register online
Page 36	Update mooring numbers	Show commercial, private, riparian, marina numbers etc.
Page 37	Update mooring field names and locations	Around island summary of east and west names, locations etc.
Page 39	Update Fishing description	Combine two paragraphs into one that explains recreational fishing areas, commercial etc.
Page 40	Correct shell fishing zones, Aquaculture areas	No longer using these buoy references, zone areas for off limit areas, new references from DEM
Page 42	Naval and Large Commercial vessel anchorages	Add paragraph explaining they are fully allowed by DEM, Coast Guard, US Navy—numerous questions from public because of Wind Farm vessels
Page 48	Beavertail State Park status	Joint State and Town property now, released by federal government
Issues/Resolutions Page 1	Changed Issues/Resolutions to Challenges and Process Improvement	Section names to reduce word count/page count and cover what is most important
Page 1	Update content for Mooring challenge areas, moorings outside 1000' foot limit, wait list time	Explaining Current mooring conditions, Harbor Commission initiatives
Page 3-5	Update water quality challenge area section with current processes,	Add DEM water quality guidelines, Jtown Public works practices, URI watershed watch monitoring
Page 7	Update Town Owned water front structures challenge area	Add short term docking offered by TPG, Creation of 5-year facilities improvement plan by Harbor Commission
Page 9	Update Emergency Management chain of command for emergency planning and reporting	Chief of Police, Town Administrator, Town Council



TOWN OF JAMESTOWN

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250 Conanicus Avenue, Jamestown RI 02835

Tel: (401) 423-7190 Fax: (401) 423-3710

Page 11	Update Harbor Boundaries challenge	Short discussion about clarifying lat/lon positions for town harbors, possibility of adding some additional moorings in areas with landside support
Appendix	Update legend for mooring zones, harbor boundaries etc.	Incorrect chart pictures of these areas, wrong legend
A-2/3	Zoning map/FEMA	Provided current maps
A-4	Rights of Way	Added note that this is in revision
A-5	Update mooring areas	Added large scale chart showing all mooring areas
A-5	Anchorage areas	Corrected Fort Wetherill, changing Dutch Harbor to pull out of sea lane area
A-7	Adding DEM aquafarm chart	For general public awareness when on west side, some issues with collisions 2023 and prior seasons.

I respectfully recommend that we conduct one or several reviews with two town council members in person in order to expedite the review process and answer questions.

Please let me know if you would like to discuss this further or would like additional information prior to submitting this to the Town Council.

Respectfully
 Steven G. Bois
 Harbor Executive Director



Wickford Yacht Club
165 Pleasant Street
Wickford, RI 02852
March 4, 2024

Joan Rich
Jamestown Harbor Clerk
250 Conanicus Avenue
Jamestown, RI 02835

Dear Ms. Rich:

Pursuant to Section 78-30 of the Jamestown Harbor Ordinance, Wickford Yacht Club (Club) appeals the decision of the Jamestown Harbor Director to revoke one of the renewal permits issued to the Club for a mooring in Dutch Harbor.

The Harbor Director listed two reasons for his decision. The first was the Club's failure to list the vessels' names allowed to use the permitted mooring. The Club compiles the list of vessels owned by its members on an annual basis in connection with its membership renewal process. That process was recently completed. Accordingly, a list of the vessel names permitted to use the mooring is enclosed.

The second reason listed by the Harbor Director was failure to use the mooring for at least 20 days during the calendar year. As previously explained to the Harbor Director, The Club has an agreement with Dutch Harbor Boat Yard to provide launch service to these three moorings. In confirming that the cost of this launch service was justified, the Club last year surveyed its members to determine how often these moorings and the launch were used. The survey revealed that the moorings were used a total of 135 times and the launch 70 times. On average, therefore, each mooring was used 45 times, over twice the minimum required by Section 78-26(m)(4).

According to the Club's records, it has held these permits in Dutch Harbor since at least 2009. The members of the Club enjoy these moorings very much. The launch service was initiated to facilitate the ability of members to go into Jamestown to both shop and dine while their boats were on the moorings. The fact that there were 70 launch trips last season reflects not only how

often our members used the moorings, but also how often they shopped and dined in Jamestown establishments.

Accordingly, the Club respectfully requests the Jamestown Harbor Management Commission to reverse the decision of the Harbor Director to revoke one of the Club's mooring permits in Dutch Harbor.

Sincerely,

A handwritten signature in black ink, appearing to read "Rex Brewer", written in a cursive style.

Rex Brewer, Commodore

Wayne Banks, Chairman

Steven Bois, Harbor Director



Jamestown Harbor Office
250 Conanicus Avenue
Jamestown, RI 02835
401-423-4340

February 8, 2024

Mr. Rex Brewer, Commodore
Wickford Yacht Club
165 Pleasant Street
North Kingstown, Rhode Island 02852

Dear Mr. Brewer:

This letter serves as notice that the Harbor Department in Jamestown will be canceling one of your three mooring permits currently located in the Dutch Harbor area for the 2024 season. Harbor Master observations during the 2023 season showed those moorings were vacant for the majority of the spring, summer and fall months.

Your Harbor Ordinance Violations are:

1. HO 78-26, (e) (3) Failure to list the vessel names allowed to use the permitted moorings with the Harbor Office;
2. HO 78-26, (m) (4) Occupying a mooring or outhaul with the vessels permitted for that mooring for less than 20 days during the calendar year.

The wait list in the Dutch Harbor area currently has 108 boaters with active applications and an approximate wait time of 16 years. My role as the Jamestown Harbor Executive Director is to ensure that vacant moorings located in town-owned areas are used efficiently.

You are free to appeal these violations and our decision to provide open moorings to the public to the Jamestown Harbor Commission. You must file a written appeal with the Harbor Clerk within 30 days following this notice.

Best regards,


Steven Bois
Jamestown Harbor Director

CC: Edward Mello, Town Administrator
James Campbell, Chief of Police
Wayne Banks, Harbor Commission Chairman
Joan Rich, Harbor Clerk



Jamestown Harbor Office
250 Conanicus Avenue
Jamestown, RI 02835
401-423-4340

March 7, 2024

Mr. Patrick Kilroy
[REDACTED]

Dear Mr. Kilroy:

This letter serves as notice that you are in violation of the Jamestown ordinance that governs riparian mooring permitting for your guest mooring #M 1079 D.

Your Harbor Ordinance Violations are:

1. HO 78-26(e)(2)
 - a. Failure to renew the mooring permit by January 31;
 - b. Failure to provide riparian property address and evidence of property ownership as a resident eligible for a riparian mooring;
 - c. Failure to respond to the Harbormaster's forfeiture notice of February 9, 2024;
 - d. Failure to provide a Notice of Appeal by February 29, 2024.

As a result of these violations, your permit for the 2024 season will not be renewed. You may appeal these violations by filing a written appeal with the Harbor Clerk within thirty (30) days of the date of this notification.

Best Regards,


Steven Bois,
Harbor Director

cc: Edward Mello, Town Administrator
James Campbell, Chief of Police



Jamestown Harbor Office
250 Conanicus Avenue
Jamestown, RI 02835
401-423-7190

November 20, 2023

Mr. Josh Furtado
[REDACTED]

Re: Harbor Ordinance Violations

Dear Mr. Furtado:

This letter serves as notice that you are in violation of the following ordinances governing outhaul use in West Ferry and Fort Getty:

1. HO 78-26(e)(2) – Failure to provide evidence of vessel ownership to the Harbor Department for permit renewal;
2. HO 78-26(h)(1) – Assignment of temporary use of outhaul permit to a vessel owner without approval from the Harbormaster;
3. HO 78-26(m)(2) – Failure to respond to the Harbormaster's notice;
4. HO 78-26(m)(4) – Occupying a mooring or outhaul with the vessel permitted for that mooring for a total of fewer than twenty (20) days during the course of a calendar year.

As a result of these violations, your permit for the 2024 season will not be renewed. You may appeal these violations to the Jamestown Harbor Commission if you wish by filing a written appeal with the Harbor Clerk within thirty (30) days of the date of this letter.

Very truly yours,

Steven Bois
Jamestown Harbor Director

cc: Edward Mello, Town Administrator
James Campbell, Chief of Police

On Fri, Jan 12, 2024 at 8:42 AM Guava [REDACTED] wrote:

Dear Members of the Jamestown Harbor Commission,

I hope this letter finds you well. I am writing to you in a state of distress regarding the recent decision to not renew my outhaul permit for the upcoming 2024 season. I deeply regret missing the appeal period due to the notice being sent to my PO box, which I infrequently check.

I wish to bring to your attention some key aspects of my situation, which I hope warrant a reconsideration of this decision. My history with the harbor is not just that of a permit holder; the outhaul has been a big part of my family's life on this island. This outhaul has been a cherished part of our connection to Jamestown, a constant through years of joy and struggle and I will do what it takes to maintain this aspect of our lives.

I respect the issues cited for the non-renewal of my permit, but ask that such a severe consequence be reconsidered. The absence of evidence of vessel ownership for my current renewal, for instance, stems from my recent rush to purchase and register a new boat by the renewal deadline. I have been negotiating with a marina on Nantucket and was planning to pick up the boat and paperwork this weekend so that I could make the renewal deadline with the new registration. As far as past boats, with the exception of last year, I've always kept a boat on the outhaul for full seasons. The boats I've kept in the past were often co-owned, and this arrangement was never an issue with previous harbor masters.

More than just a place for my boat, I consider Dutch a community and try to be a good steward and a good neighbor. I often check on boats during storms and alert neighbors if there's an issue. I've even waded into the water during storms to keep a neighbor's boat off the rocks after finding their tackle broken. I even have a painting of the view from our Outhaul hanging in my home. I understand the need to adhere to policy and logistics and understand the value going forward, but this would be a very personal loss for my family.

In regards to last season, a misunderstanding with the harbormaster over the temporary use of my outhaul contributed to my non-compliance with the 20-day occupancy rule. I was under the impression that the harbormaster would oversee the temporary assignment of my spot, a promise that went unfulfilled.

On a more personal note, my family has navigated through significant financial hardships recently, which impeded our ability to swiftly purchase a new boat last year. It's a journey that has been challenging, but we are in a good place now and feel more resilient than ever. The prospect of losing this outhaul is not just a logistical issue for us; it feels like losing a big part of our life on the island.

I understand the harbor's stance on stricter adherence to ordinances, and I fully intend to align myself with these regulations moving forward. However, I humbly ask that you consider the history, the efforts, and the commitment I have shown towards this community.

I am more than willing to discuss this matter further and would have a new registration in my name for this year's renewal by next week. Your understanding and reconsideration in this matter would mean the world to me and my family.

Thank you for taking the time to read my letter. I eagerly await the opportunity to continue being an active and compliant member of our cherished harbor community.

Sincerely,

Dear Harbor Commission, it seems that there is some confusion as to what I was saying about the dock at the January meeting and want to clarify my concerns/ ideas. I did not say the boats on the north side have problems in an east wind (as stated in harbor meeting minutes from January). I have attached a proposed layout presented to me by Executive Director Bois, and attached a picture I made with the correct dimension of the dock. Thank you in advance for taking the time to look this over!

Problem #1

Every boat, in my 30+ years of commercial fishing/ aquaculture experience down at the pier, has had a problem with docking on the east side of the pier (46' side in picture attached). I have seen boats sink, get stuck under the pier and ladder on a regular basis, bang up against the dock.... I have personally pushed boats out from under the pier more times than I can remember and have seen Executive Director Bois even push a boat from under the ladder. It has proven not ideal to have a boat facing north at that spot with just 1 breast anchor.

Problem #2

The layout that Mr. Bois sent me seems very unthought out. The boat he is proposing that is closest to shore (on the inner L), where he is proposing it, I recently measured 18" at low tide. It was nowhere near the lowest tide that occurs there, my educated guess is that was about average for winter and will easily drop another 9" on the lowest of low tides. I believe the harbor division needs to figure out what depth of water is appropriate to permit a boat there SAFELY. This isn't a dock in a protected harbor. Waves are regularly rolling near the beach and a boat that is side-to in rolling waves is A LOT different than a boat that is not and I think that needs to be considered. Like I said at the harbor meeting, if you have a boat so close to shore that it is in rolling waves during a squall it WILL SINK. Not like you can predict when a squall is coming and remove the boat before catastrophe. The harbor division needs to plan for the worst in my opinion. The communications I had with Mr. Bois expressing this concern resulted in the answer that he would like to experiment anyways (paraphrased).

Problem # 3

If you look at the picture I made, you will see that there is 56' on the inside L and 46' on the east side of the pier. I don't see the logic in squeezing 4 boats on the inner L and only 1 on the east side (where there are already problems) and no boats on the west side. I think a more logical approach is, instead of facing a boat north on the east side, face it west to east. That reduces the drag significantly and will eliminate the problem there. You could actually fit 3 boats facing

east to west taking up the same linear footage as a boat facing north. You can also do this on the far West side of the dock as well. The tidal flow on the inner L is also the strongest at the pier. So what is the benefit of this proposed layout or Mr. Bois? Are there better options? I believe there are!

Summary:

Putting 4 boats on 56' linear feet gives each boat 14' of space, but even 14' isn't realistic because that would put one boat against the dock, which isn't safe because you need spring lines in this area of high fetch and that takes space. It also puts 1 boat in as little as 9" of water in ideal conditions, but with side to side movement, the boat will be on dry land regularly. If you measure the northern most outhauls, they have 16' with no dock and no shoreline restricting movement. AND they still hit each other at times. The fetch at the dock is worse than the outhauls. These boats will be beating each other until they sink.

With the tide and wind blowing, the way the layout is now, can be tricky enough to park and pull out. I haven't had a problem with it yet but reducing that space will make it MUCH WORSE.

I'm sure we have all heard the phrase "work like a gentleman", this proposal of Mr. Bois is extremely dangerous and does not make sense to me at all. There is ample room on the east and west sides of the pier to add boats.

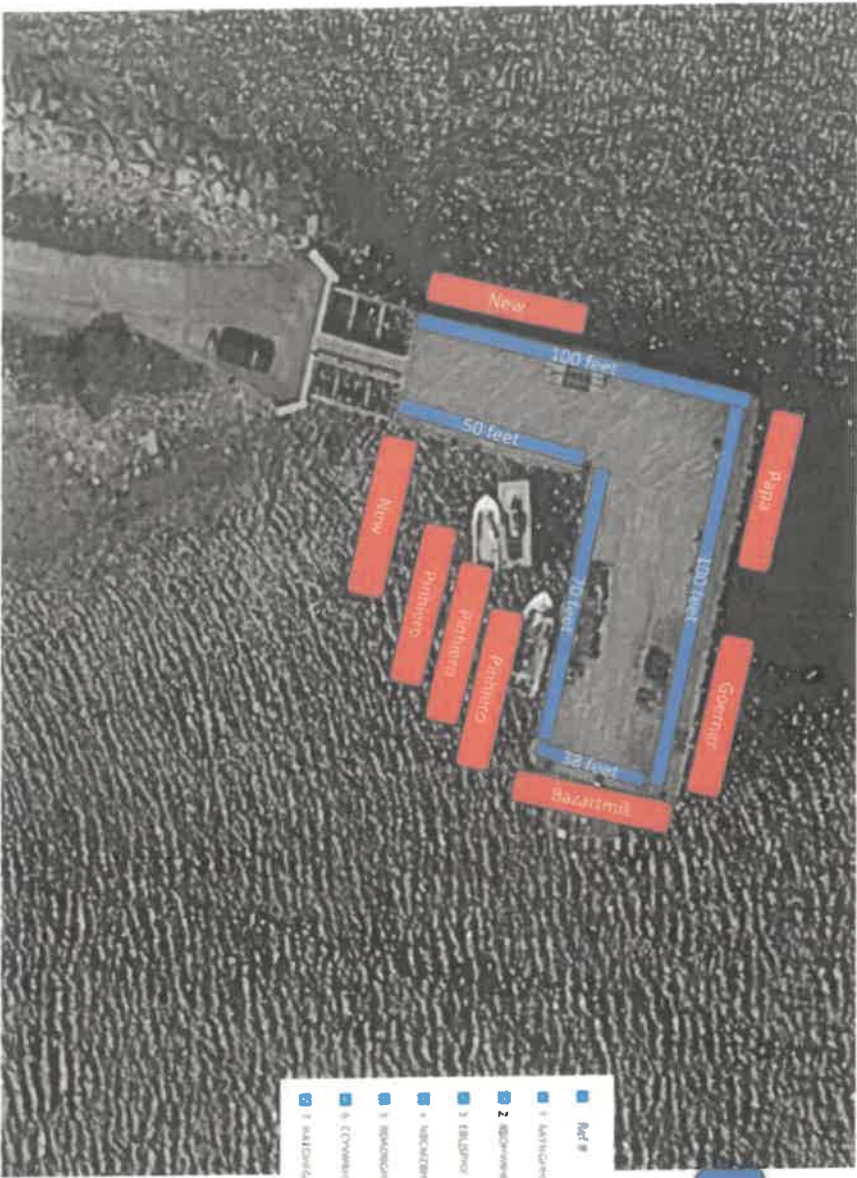
If any of the harbor commissioners want clarity on this, I am more than happy to meet you at the dock and show you in person what I am saying.

Best regards!

Joe Pinheiro

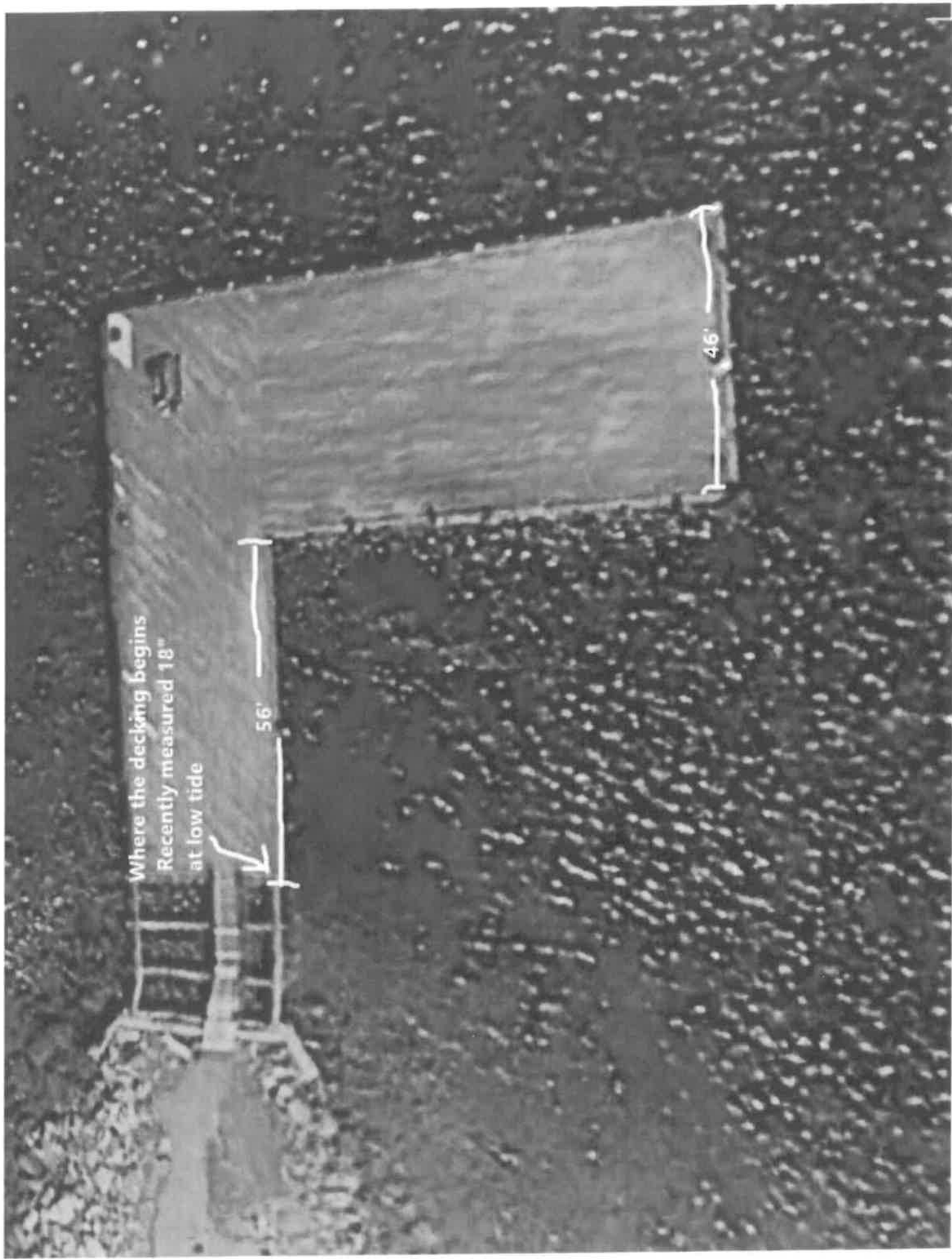


Fort Getty Pier



Current War List Commercial
Anvisa, Abel, Papa, Bazarril, Q

Ref #	Type	Permit Status	Applicant	Vessel	Boat Priority	Since
1	ANCHORAGE	Not List Expires	ANONIMO	San Jose Can Regatta (1)	1 - Other	08/01/2014
2	ANCHORAGE	Not List Expires	Grand Regatta	(1 - Regatta)	3 - Other	07/04/2014
3	BLASTING	Not List Expires	THE BAY	REGY 900874127 (Small)	1 - Other	06/27/2014
4	ANCHORAGE	Not List Expires	THE BAY	(1 - Regatta)	1 - Other	04/25/2014
5	ANCHORAGE	Not List Expires	THE BAY	REGY 900874127 (Small)	2 - Other	11/05/2013
6	ANCHORAGE	Not List Expires	THE BAY	REGY 900874127 (Small)	3 - Other	11/05/2013
7	ANCHORAGE	Not List Expires	THE BAY	REGY 900874127 (Small)	1 - Other	11/05/2013



Dear Harbor Commission,

I have been advocating to improve the boat ramp at Fort Getty for some time now. I have attached a map of the Sheffield Cover conservation area. My Proposal is change a small piece around the boat ramp and outhauls back from a conservation area to a different water type, where improvements can be done without automatic denial or a variance . The time is now, with the management plan being updated. There are many more regulatory hurdles in a conservation area and the Town did not take this into consideration when changing the water use. I believe this is a very important first step if the Commission has a desire to improve this ramp. I know there is talk about putting a touch and go near the ramp, and doing this in a conservation zone is against the rules in the CRMC Redbook.

With an improved ramp, the Town will benefit from increased income from entry fees to Fort Getty. The boaters that come to the island to use the ramp will stop at Cumberland Farms and fill their huge fuel tanks, they'll buy food and ice from local businesses, they'll stop at Zeek's and buy bait and tackle, all helping the local economy. And I can speak for all the commercial operators that we would really appreciate a ramp we can use properly... Especially in emergencies, this ramp does not suffice!

Thank you for your consideration!

-Joe Pinheiro



Sheffield Cove Conservation Area	
Latitude	Longitude
41° 28' 50.7	-71° 23' 47.93
41° 29' 37.42	-71° 23' 2.90
Total Area = 100 Acres	

Mackerel Cove Conservation Area	
Latitude	Longitude
41° 29' 10.28	-71° 23' 10.46
41° 29' 11.07	-71° 22' 45.66
41° 30' 14.86	-71° 22' 48.16
41° 30' 15.04	-71° 22' 56.78
41° 30' 18.89	-71° 22' 50.37
Total Area = 35 Acres	