

Lanes Cove Fish Shack Building Committee
Minutes of meeting of 8/29/2011

The fifth meeting of the Lanes Cove Fish Shack Building Committee was held at the City Hall Annex on Pond Rd at 2 pm on August 29, 2011

Members present were: (7 of 7 thus a quorum)

Jim Hafey (Chairman)

Damon Cummings (Secretary)

Barbara Jobe

Russell Hobbs

Bill Sanborn

Jim Caulkett

Lisa Press

Minutes of the Meeting of August 22, 2011 were accepted.

Chairman Jim Hafey and others reviewed their impressions of the site visit on Aug. 25. It seems clear that the advice is to renovate the present structure rather than rebuild if possible. The reasons for this are that it may be easier to obtain funding both from the community and from historical preservation sources for renovation. Moreover the legal implications of replacing the structure and its use are important. Applying for a tidelands license for a new structure would be at least time consuming. However no decision on a recommendation has been taken by the committee since we wish to see the plans being generated by Treehouse design and consult with the community before making a firm decision.

Members are of the belief that the building should be repaired to be usable for water dependent use, presumably by commercial fishermen. This is both to satisfy the Chapter 91 requirements and hopefully to obtain some income stream to maintain the property and hinder vandals.

Barbara Jobe will make a list of possible volunteers based on Greg Smith's work signing people up. The committee members favor an approach using volunteer labor but want supervision both to keep track of paper work and to keep the project on track. This should be a licensed contractor. There was some discussion of using the Gloucester Fund to funnel contributions to the project.

Jim Caulkett presented a map of tidelands boundaries from MCZM showing the entire building in tidelands jurisdiction. Any work we do therefore requires a notification to DEP Waterways although a formal C91 license may be avoided if there is renovation with no change of use. A memo from Jim Caulkett on this subject is appended to these minutes. Jim will procure copies of the map for inclusion in our records at our next meeting.

The Historical Commission will be invited to send a representative to our next meeting by Damon Cummings.

We are aiming for a presentation at a ward meeting to be hosted by Councillor Hardy at the end of this month.

The next meeting was scheduled for Monday, September 12 at 2 pm at the Pond Road City Hall Annex

The meeting adjourned at 3:00pm

Damon E. Cummings 8/29/2011

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Communication appended:

Afternoon Damon, talking with Kathryn Glenn this morning we found out the whole landing falls within the historical high water mark. I have a good map from her showing this.

Thus I contacted Alex and below are his comments which are very clear and helpful and if we need to file for a 91 will not be hard to complete.

Will you forward this to our committee.

Thanks

Jim

From: "Alexander Strysky (DEP)" <alexander.strysky@state.ma.us>
To: "Jim Caulkett" <jcaulkett@gloucester-ma.gov>
Cc: "Ben Lynch (DEP)" <ben.lynch@state.ma.us>, "Kathryn Glenn (EEA)" <kathryn.glenn@state.ma.us>
Sent: Tuesday, August 23, 2011 1:28:25 PM
Subject: Lane's Cove

Jim-

Thank you for your phone call regarding c. 91 authorizations needed for Lane's Cove. As you described it, the seawalls, fill, fish shack, and boat launch are owned and maintained by the City and used by commercial fishermen. There is no record that any of the structures and fill have been previously authorized under c. 91.

The City's facilities in Lane's Cove, including the fill/structures mentioned above, are categorized as "public service projects" as defined at 310 CMR 9.02. The waterways regulations at 310 CMR 9.05(3)(c) allow the continuation, including maintenance, repair, and minor project modifications, without the need for a license, of unauthorized public service projects, such as the Lane's Cove facilities.

The existing fish shack is in disrepair and requires significant repair, and may even need to be demolished and rebuilt. I recommend that you contact us again once you know what work needs to be undertaken. Repairing of the building, without demolition, would likely not need any c. 91 licensing as long as the dimensions, materials, and use of the fish shack do not change. Demolition and reconstruction of the fish shack may require a c. 91 license. Should the use of the fish shack be changed, a c. 91 license may be needed.

You also mentioned that there are seawalls that may need to be repaired due to storm damage. As noted above, repair activities for public service projects, in which the dimensions and materials do not change, are allowed without additional licensing. Again, I recommend that you check in with us once you know what kind of repair is necessary so that we can more definitive guidance.

Please contact me if I may be of additional assistance.

Alex

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