



TOWN OF EAST LYME
EAST LYME HARBOR MANAGEMENT/SHELLFISH COMMISSION

Chairman
Donald F. Landers Jr.

Treasurer
Stephen Dinsmore

Secretary
Barbara Johnston

HARBOR MANAGEMENT SHELLFISH COMMISSION
MARCH 20, 2012 MEETING MINUTES

Members Present: Don Landers, Chairman; Barbara Johnston, Secretary; Steve Dinsmore, Treasurer; Marvin Schutt, Bill Mountzoures and Rick Kanter

Also Present: Joe Hitchery, Harbor Master and Kevin Seery, Ex Officio

Members Absent: Greg Murin

1. **CALL TO ORDER.** Chairman Landers called the meeting to order at 7:30 p.m.

2. **APPROVAL OF MINUTES OF REGULAR MEETING OF FEBRUARY 21, 2012.** Chairman Landers asked for additions, deletions or corrections to the February 21, 2012 Regular Meeting Minutes.

The following corrections were noted: On page 1, under item 3, the second and third sentences are to be revised as follows: "He had been before this Commission last year on this application, and the directive that he had been given was to get neighbor consent, and to get indication from the Old Black Point Association that they had no objection. He was not able to get the Old Black Point Association position in writing."

On page 3 under item 6. A. the first sentence to be revised as follows: "Mr. Kanter stated the river is open; they have had the best scallop season they have had in 10 years."

MOTION (1): Mr. Mountzoures moved to approve the February 21, 2012 Regular Meeting Minutes, as amended. Seconded by Marvin Schutt. (6-0) Unanimous

MOTION (2): Mr. Schutt moved to add under item 3. Public Delegations, A. Presentation of Application from Dominion Millstone Power Station. Seconded by Mr. Dinsmore. Mr. Landers recused himself and abstained. (5-0-1) Motion carried.

3. PUBLIC DELEGATIONS.

A. Presentation of Application from Dominion Millstone Power Station.

Mr. Landers reported he has had discussions with the Army Corps, the Department of Agriculture/Bureau of Aquaculture and DEEP regarding cages that would hold oysters at Boats, Inc. dock, DEEP dock, Millstone quarry, and property at the end of Giants Neck Road. An application was prepared for a structures, dredge and fill permit. The cages are tied underneath the dock to hold oysters for 30 days or more each quarter for tissue sampling research. DEEP considers them a structure. Attachment B shows background information on what is planned. The approval of the dock owner is needed. Mr. Landers indicated that there is minimal impact associated with the use of the holding cages and is requesting that the Commission find the project consistent with the Harbor Management and Shellfish Management Plans.



MOTION (3): Ms. Johnston moved to find the permit application from Dominion Millstone Station for oyster holding cages consistent with the Harbor Management and Shellfish Management Plans. Seconded by Mr. Kanter. Mr. Landers abstained from voting. (5-0-1) Motion carried.

4. REPORTS

A. Shellfish. Mr. Kanter reported that he testified before the Environment Committee to support a change in the scallop regulations. State Rep. Ed Jutila is supporting the Bill, which has been attached to a more comprehensive Aquaculture framework bill. The proposed change would better reflect WELSCOs current strategies for sustainable management of the Niantic River scallop population. The Shellfish Aquaculture book, which the three commissions agreed to cost-share has arrived. The scallop season closed on March 15. There are many individuals clamming and getting oysters.

B. Harbor Master. Mr. Hitchery reported 128 renewal stickers have been issued. An email and mail reminder was sent to those who have not responded. Twelve have been received in the last couple of days. In Giants Neck, four mooring permits were relinquished and were offered to four individuals on the waiting list; at present the wait-list is three. Applicants have until March 31 to renew. If they need an inspection they have until May 31 to renew. Forty-nine moorings need inspections before renewal stickers can be issued.

Mr. Landers reported he met with Chief Pendleton, Dan Steward and Sergeant Blanchette to discuss a framework for use and cost-sharing of the old Waterford Police boat, which will be shared by both municipalities. The Harbor Masters and Deputy Harbor Masters will be the primary users of the boat. Chief Pendleton would also like to arrange for a meeting with both Town Harbor Masters and DEEP to discuss procedures and protocols for handling abandoned boats. A discussion followed on the upcoming OpSail event this summer.

C. TREASURER. Mr. Dinsmore pointed out the need to add funding in the 2013-14 budget for cost-sharing expenses of the old police boat. Bills for last month were submitted today. No additional bills were received. A line item transfer of funds from the Harbor Account to the Warden Payroll Account is necessary to cover expected Warden costs over the next few months. The Board of Selectmen reviewed and approved our budget; it has been forwarded to the Board of Finance.

MOTION (4): Mr. Schutt moved to accept the Treasurer's Report as presented. Seconded by Mr. Mountzoures. (6-0) Unanimous.

D. EX-OFFICIO. Mr. Seery reported next Wednesday the Board of Education budget will be reviewed jointly by Board of Finance and Board of Selectmen. Mr. Seery toured the AMTRAK construction. The beach area will be the approximate size of Rocky Neck. The Boardwalk will be very nice and the fishing dock is impressive. All is expected to be completed by May or June of 2013. Parking will be a problem; the Town is exploring all options including a shuttle service. On April 15 at St. Matthias from 5 p.m. to 8 p.m. there will be a retirement party for Esther Williams at a cost of \$35 per person. Tickets are available in the Selectman's



Office. There will be a luncheon open to the public on April 5 at East Lyme Town Hall. Another tour of the AMTRAK bridge is planned for May or June.

5. OLD BUSINESS

A. Harbor Management Plan—Reports from Commission Members. Mr. Hitchery submitted comments from Marc Berger and himself.

B. Comments on Dowling dock proposal Old Black Point, Niantic. Mr. Landers stated at our last meeting we voted that this proposal is consistent with our Harbor Management Plan with comments. Ms. Johnston felt the boundaries are not clearly spelled out.

MOTION (5): Mr. Schutt moved to approve the Attachment E Harbor Management Commission DEEP Permit Consultation Form for the Dowling Dock proposal, with Harbor Management Shellfish Commission comments and January 18, 2011 and February 21, 2012 Minutes attached. Seconded by Mr. Dinsmore. In Favor: Landers, Schutt, Mountzoures, and Kanter. In Opposition: Johnston. (5-1-0) Motion carried.

C. Comments on Kruse seawall and dock proposal Quarry Dock Road, Niantic. Ms. Johnston, Mr. Hitchery and Mr. Schutt visited the site. Mr. Schutt felt it's far away from navigation, although he didn't see a need for tie up pilings from the float. Mr. Kanter felt tie up pilings can be helpful in certain berthing conditions. Ms. Johnston visited the site with Mr. Schutt and felt the mooring was on the property boundary line. The applicant may be infringing on his neighbor's property. In her opinion, according to the Harbor Management Plan it is inconsistent. She felt they could minimize the length of the dock by 20'. Mr. Schutt would like buoys placed where the tie-off piles are proposed to be located. Ms. Johnston felt the length of the dock could be reduced, because there is plenty of water. Mr. Kanter stated that according to the Harbor Management Plan, we need to take into consideration littoral and other property owner rights when deliberating dock proposals.

MOTION (6): Mr. Kanter moved to approve the Kruse Seawall and dock proposal on Quarry Dock Road, Niantic as being consistent with our Harbor Management Plan. Seconded by Mr. Schutt. In Favor: Landers, Schutt, Dinsmore and Kanter. In opposition: Johnston and Mountzoures. (4-2-0) Motion carried.

6. NEW BUSINESS

A. Correspondence. The following correspondence was received:

1. COP application for Kruse seawall restoration.
2. COP application for Douglas Beach to retain and maintain an existing dock.
3. Giants Neck Beach Association Beach Grading Permit from DEEP February 29, 2012 to Wickliff Mallory Permit #201107792 for property off Giants Neck Road for Giants Neck Beach Association.

B. Discussion of Niantic River No Wake Zone/Speed Limits. This matter was tabled.



C. Discussion of Shellfish MOU. Mr. Landers received no further update on the Shellfish MOU. Commission members reviewed January 31, 2012 WELSCO Minutes on this matter.

D. Presentation by Capt. David Robinson (OnLine Mooring). Mr. Robinson was not present and there was no presentation.

7. COMMENTS FROM OTHER COMMISSION MEMBERS. There were no additional comments from commission members.

8. ADJOURNMENT

MOTION (7): Mr. Mountzoures moved to adjourn the March 20, 2012 Harbor Management/Shellfish Commission Meeting at 9:20 p.m. Seconded by Mr. Schutt. (6-0) Unanimous.

Respectfully submitted,

Frances Ghersi, Recording Secretary