



**TOWN OF EAST LYME**  
EAST LYME HARBOR MANAGEMENT/SHELLFISH COMMISSION

Chairman  
**Stephen Dinsmore**

Treasurer  
**Donald F. Landers Jr.**

Secretary  
**Joseph L. Hitchery**

*Not official until approved by the Commission at its next regular meeting*

**October 20, 2015 Regular Meeting Minutes; East Lyme Town Hall**

Commissioners Present: Stephen Dinsmore; Joseph Hitchery; Donald Landers; William Mountzoures; Rick Kanter; Barbara Johnston; and Greg Murin

Commissioners Absent:

Ex Officios Present: Assistant Deputy Harbor Master Marc Berger; Harbor Master Dick Morris; Marc Salerno

Ex Officios Absent:

Others Present: Bob Doane, John Collins Engineering

FILED IN EAST LYME  
CONNECTICUT  
October 20, 2015 AT 1:10 AM PM  
*Karen Pulgarin*  
EAST LYME TOWN CLERK

1. **Call to Order.** Chairman Dinsmore called the meeting to order at 7:31 p.m.

2. **Approval of Minutes of the Regular Meeting of September 15, 2015.**

**MOTION: The Commissioners moved to approve the September 15, 2015 Regular Meeting Minutes, as presented. The motion carried. (6-0-0).**

Corrections: Greg Murin was not present at last month's meeting, nor did he second a motion, as listed on the second page.

**3. Public Delegations**

Bob Doane had a Permit Application. He also provided two full-sized plans and an exhibit. The proposal was a dock for 2 Elizabeth Street, just north of Smith Cove, which was a dock that existed 30 years ago. John Petrillo would like to rebuild it. It hasn't been in the water for three or four years, because there was an issue regarding the ownership of the shoreline. An application had been submitted to DEEP, and they wanted to wait until that's resolved, which it has been currently. He went on to explain that they have a dock on the north side and a dock on the south side, and he projected a line across. It's proposed to go 110 feet out from the coastal jurisdiction line. The review process had been started with the State. He stated he will get the signature form to the Commissioners, as it seems to be missing from the packet. WELSCO liked the proposal, as long as some conditions were met, i.e. chain stops on the float to keep it off the bottom. Therefore, this would be a floating dock. Decking material would be pressure-treated.

The Commissioners asked a couple of logistical questions regarding the dock, as well as discussed their thoughts and opinions on the proposal. Mr. Doane went on to say that Michael Guswinski (?), from DEEP, suggested increasing the size of the float, due to the fetch and the waves' buildup

as it comes across the shallow. Currently, the proposal is 100 square feet, being 4.8 feet by 24.4 feet long. But Mr. Guswinski suggested to Mr. Doane to increase it up to 200 feet, being 8 feet wide and 25 feet long. Commissioner Kanter gave an alternate approach, rather than increasing size, which would be to put crisscross lines on it, in order to hold it in place in the event of any wake. Commissioner Landers queried whether the float was coming out in the wintertime, to which the response was it would either come out, or it would be raised up. Commissioner Johnston would like to see the size stay as it is.

**MOTION: Commissioner Murin moved to approve the dock, as drawn, and to affirm that it meets the Guidelines in the Harbor Management Plan. Commissioner Kanter seconded the motion. The motion carried. (6-0-0).**

Commissioner Hitchery questioned regarding the fixed portion length. Mr. Doane responded that it was 67 feet, not including the 25-foot ramp.

#### 4. Reports

A. Shellfish. Commissioner Kanter declared the river is open. And it was a long battle, but all of Sandy Point is open to shell fishing. Finally DEEP agreed with WELSCO, so now the floating demarcation sign's across on Quarry Dock Road, west from Sandy Point. He also announced that there will be a scallop season this year, starting November 15th, but possibly December 1st. He went on further to state that there's an unknown quantity of scallops, so scallop at your own risk.

B. Harbor Master. Mr. Morris discussed his nice conversation with Congressman Joe Courtney. Congressman Courtney had indicated to him that on Friday the Admiral of the Navy sent in a letter of support with keeping the spoils area open off of Fisher's Island, and to refute anything that New York was doing, in hopes that because of National Security and dredging for the sub-base that that has to be dealt with. He went on to state that Congressman Courtney would be very happy to support and help with the dredging concept, along with Senator Formica, and Representatives, and First Selectman Nickerson. So as soon as the dumping area was finished, a conversation will be held regarding how to dredge in the River.

Mr. Morris brought up the fact that there were three boats: (1) abandoned; (1) sank out in the center of the River, owned by Gary Smith; (1) 21' Aqua Sport that swamped in storm that occurred. Mike W. (?) went out and retrieved the latter two boats, and has them in his possession. Mr. Morris went on to say that Mike W. was very accommodating in the process.

Mr. Morris expressed that he noticed today they're starting to dredge over in 4 Mile River with a good-sized tugboat, good barge, and good crane. And he went on to state that delivery is going to be taken on the new boat on Friday. He continued on that the boat is going to help in the process of taking GPS readings on all of the moorings out there to easily map, which should take place in the next couple of weeks.

Chairman Dinsmore requested of Mr. Morris to provide the Commission a list of the moorings at the end of the year, to include owners and locations. Commissioner Landers inquired regarding O&M for the new boat for 2016. Mr. Morris affirmed that it would have to be a line item on the budget.

**MOTION: Commissioner Johnston moved to authorize up to \$100 to purchase the decals for the sides of the new Harbor Master boat. Commissioner Murin seconded the motion. The motion carried. (6-0-0).**

C. Treasurer - Budget. Commissioner Landers discussed the two invoices for WELSCO - Month of August and September for Warden Patrol Sample Collection:

- I. August - \$62.50
- II. September \$43.75

Commissioner Landers presented a check payable to the Commission for \$139.50 for Bay Area Shellfish Permits. He went on to mention that he will be bringing everything to the Accounts Payable Department.

Mr. Berger stated there's another invoice from Scott at Port Niantic for the storage on the current Harbor Master boat that's been there over a year. Waterford does owe half of the invoice. The total of the bill is \$425.01.

D. Ex Officio. Mr. Salerno voiced that at the last Board of Selectman meeting the public was asking about the proposed floating dingy dock at Grand Street. Street lights were discussed during that meeting, as well. The Board of Selectman, at that same meeting, had signed up for the CRCOG, Capital Region Council of Governments. He continued on to mention that the Board of Selectman approved the School Projects Plan.

He stated that the Board is also looking into a Blight Ordinance in town. He also declared that the Saunder's Point Sewers' Scope of Work Study had been approved, and that the Town was moving forward with the study. He brought up the fact that the Boardwalk is supposed to be done by the end of the year, with a grand opening in the April timeframe. Also, he said the flag pole at the Green is broken.

## **5. Old Business**

A. Harbor Management Plan - Update. Chairman Dinsmore stated that five weeks ago copies of the Plan were sent around to the Town Commission Heads. To-date, no comments have been received.

**MOTION: Commissioner Hitchery moved to advance the Harbor Management Plan to the Board of Selectman for their review. Commissioner Landers seconded the motion. The motion carried. (6-0-0).**

Mr. Salerno wanted to know if the Ordinance was part of this motion. Chairman Dinsmore stated that this was only in regards to the Plan, itself. Commissioner Hitchery suggested that they should go together for judicial economy.

## **6. New Business**

A. Correspondence. Chairman Dinsmore received an approval item for putting a pipe into the salt

pond by Area E, to increase flow and flushing from the pond. This was DABA's original copy signed by David Kerry on 10/07/2015, and he's unsure as to why it's in the Commission's box, other than it's the Commission's impact shellfish ground.

Chairman Dinsmore added that a COP was received on maintenance from DEEP for Giant's Neck, but stated there's no action required on that. He went on to state that Commissioner Johnston provided a draft letter, which Chairman Dinsmore extracted a majority of what was provided to put into a formal letter that was passed on supporting maintaining the dumping grounds for the dredging.

An application was received that needs to be found consistent with Harbor Management. And another application was received that needs to be found consistent with Shellfish. Commissioner Landers stated that this is the first Permit that the Commission has had that's discharging into a recreational fishing area.

**MOTION: Commissioner Landers moved to approve the Application as consistent with the Harbor Management Plan. Commissioner Mountzoures seconded the motion. The motion carried. (6-0-0).**

**MOTION: Commissioner Landers moved to approve the Application as consistent with the Shellfish Management Plan. Commissioner Mountzoures seconded the motion. The motion carried. (6-0-0).**

Chairman Dinsmore questioned if this impacted recreational shellfish grounds, and, if so, would it be consistent with the Plan. Commissioner Landers responded that that's the DABA's assessment of this project, to which he doesn't necessarily agree. Commissioner Kanter chimed in questioning the difference of implementing this Application, as the water would still get into the bay. Discussion was held regarding these inquiries.

Commissioner Landers added that this application should assert that this installation should utilize best-management practices for control of storm water run-offs. Chairman Dinsmore changed "project located on" to "project located near other conditionally approved shellfish bed". He also suggested substitute word "will" for "may" adversely impact a shellfish area. Commissioner Landers preferred "will not".

Chairman Dinsmore read out loud the recommendation: "Recommend the project utilize best-management practices to minimize run-off into the conditionally approved shellfish bed".

Commissioner Landers brought up the Long Island Sound Council and Assembly, regarding volunteers.

## **7. Final Comments.**

Commissioner Hitchery inquired to Marc regarding mention made about the sewers over at Saunder's Point and the target date, if any. Mr. Salerno averred that there were conversations, and will get back to the Commission regarding the target date, yet the aim was approximately three years.

Commissioner Johnston spoke with Mr. Morris, wherein she suggested that a limit was put on the moorings of 300. Mr. Morris came up to 350 with a caveat of 25 transient moorings. Chairman Dinsmore responded by stating that the goal is to map all the moorings on a GPS, and at that point it would be more feasible to recognize the density and availability for either fewer or more moorings. Further discussion was had regarding the moorings.

## **8. Adjournment**

**MOTION: Commissioner Mountzoures moved to adjourn the meeting at 8:53 p.m. It was seconded by Commissioner Johnston. The motion carried. (6-0-0)**

Respectfully submitted,

Victoria O'Connor, Recording Secretary

