



FILED

TOWN OF EAST LYME

Sept 25 2017 AT 8:15 AM/PM

EAST LYME HARBOR MANAGEMENT/SHELLFISH COMMISSION

Sellmatt

EAST LYME TOWN CLERK

Chairman
Stephen Dinsmore

Treasurer
Donald F. Landers Jr.

Secretary
Joseph Hitchery

HARBOR MANAGEMENT/SHELLFISH COMMISSION
SEPTEMBER 19, 2017, MEETING MINUTES

Members Present: Steve Dinsmore, Joe Hitchery, Don Landers, Greg Murin, Barbara Johnston, and Bill Mountzoures; Absent: Rick Kanter

Ex Officio Present: Selectman Paul Dagle

Absent: Harbor Master Dick Morris, Deputy Harbor Master Marc Berger

CALL TO ORDER. Dinsmore called the meeting to order at 7:32 PM.

APPROVAL OF MINUTES OF REGULAR MEETING OF AUGUST 15, 2017.

Motion: Montzoures moved to accept minutes of August 15, 2017. Landers seconded. Motion passed, 5-0-1. (Johnston abstained)

APPROVAL OF MINUTES OF SPECIAL MEETING OF SEPTEMBER 11, 2017.

Correction – Murin asked to add the following sentence at the end of 2nd paragraph in Item 2: “Public attendees included members of the Niantic Business District who are against the Niantic Bay Shellfish Farm application.”

Motion: Murin moved to accept minutes as corrected. Hitchery seconded. Motion passed, 4-0-2. (Johnston and Montzoures abstained)

PUBLIC DELEGATIONS

Hitchery requested unanimous consent to move New Business Item 6 A on the agenda - “Approval of Letter to the Army Corps of Engineers” - as the first order of business to be discussed, since there are many members of the public in attendance tonight in regard to the Niantic Bay Shellfish Farm (NBSF) application. There was no objection.

Hitchery then stated he had reviewed documents submitted by people opposing the NBSF application at the Special Meeting last week, and meeting minutes from WELSCO and the Waterford Harbor Management Commission (WHMC). He noted that WHMC voted against it and WELSCO voted for it, and it appears our own Commission is divided on this. He also noted the proposed site is on the Waterford side of the River where this Commission has no jurisdiction, and therefore is not required to take any action.

Motion: Hitchery moved the Commission take no action on the proposed letter of support. Murin seconded.



TOWN OF EAST LYME
EAST LYME HARBOR MANAGEMENT/SHELLFISH COMMISSION

Motion passed, 4-2-0. (Dinsmore and Landers against).

Dinsmore said that Item A. -Docko application for Niantic Bay Yacht Club dredging-would not be heard tonight, as Keith Nielsen was not present.

Johnston then suggested public delegations (Item C) be allowed at this time.

One of the attendees asked about the boundaries of East Lyme and Waterford waters. Dinsmore explained that the East Lyme HM/SC is a joint Commission and the Shellfish part of the Commission is responsible for Niantic Bay to Waterford town line and west over to Old Lyme town line. We have two approved areas for shell fishing. The Harbor Management part of the Commission has jurisdiction over the River from the shore to mid-channel up to Golden Spur. East of mid-channel is Waterford waters. Shellfishing activities in the River are controlled by WELSCO, which is a state-appointed Commission. East Lyme and Waterford each have their own Shellfish Warden. Also East Lyme and Waterford each have a Harbor Master. Waterford waters include Smith Cove on the Thames River.

- B. Gerwick Mereen LLC Application.** Bob Conigliaro presented an application on behalf of Regina Hitchery to install a fixed pier, ramp, and float with a boat lift, and to retain the existing bulkhead at 27 Saunders Drive. Landers asked if there would be stops installed and if the float will be elevated during the winter. The answer was yes. Landers asked if the neighbors were okay with this application. The required notification will be sent to neighbors in Saunders Point. This is a structures application only.

Motion: Murin moved that the Commission find this application consistent with the Harbor Management Plan. Montzoures seconded. Motion passed, 5-0-1. (Hitchery abstained)

- A. Niantic Bay Yacht Club – Docko Dredging Project Application** (Note: Item A. was added back on to the agenda because Nielson was able to make the meeting.) Keith Nielson presented an application for skim dredging 2/3 of the Club basin. Sediment was collected and tested at two levels: top 2 feet and remaining down to -8 inches. Nielson said that a crane with a clamshell bucket would be used to do the dredging with offloading to the north/south side of the Club. The exact locations will be determined. There will be temporary storage on the west side of the street. The COP was for three years and one year has passed so there are two years left. The other COP is for five years and will be good starting in spring 2018 – 2023.

Motion: Murin moved that the Commission find this dredge
Motion passed, 4-0-2. (Johnston and Landers abstained)



TOWN OF EAST LYME
EAST LYME HARBOR MANAGEMENT/SHELLFISH COMMISSION

Motion: Murin moved that the Commission find the Niantic Bay Yacht Club application consistent with the Harbor Management Management Plan. Montzoures seconded.
Motion passed, 5-0-1. (Johnston abstained)

REPORTS

Shellfish: Landers reported that the river is open with no issues to report.

Harbor Master: No report as Harbor Master Morris is absent.

Treasurer: Three invoices were received. Two were from WELSCO for July and August in the amounts of \$31.25 and \$18.75 for the warden patrol. The third invoice for over \$700 was for mooring maintenance for the Harbor Master boat mooring in Niantic Bay. Landers will contact Harbor Master Morris to ask him when and how the mooring was obtained and where and why it is in Niantic Bay.

Ex-Officio: The Board of Selectmen is waiting to hear what happens with the State budget.

OLD BUSINESS

Harbor Management Plan: Dinsmore spoke with Geoff Stedman and was told that the Harbor Management Plan was signed off today by DEEP. Dinsmore will pick up the letter this week from the State. Landers asked how we proceed for Town approval. Dagle said he believes the plan needs to go to the Board of Selectman for their review and then a public hearing will be set up. Dagle will verify exact steps needed and report back to the Commission.

Johnston wants the Commission to review the plan and the changes made to it by DEEP before anyone else looks at it. Dinsmore said that once we have the approval letter from DEEP he will distribute copies to Commissioners to review. Dinsmore mentioned that if there are any changes that need to be made the plan will have to go back into the review cycle and could take another year or longer to get it back. He stated for the record that before the plan went to the State, Town officials had it to review and didn't have any comments. Dinsmore said that Geoff Stedman has worked really hard with no pay in two years on this plan and would like to do something for him. Landers suggested writing a letter of thanks and a letter of recommendation. The Commission agreed.

NEW BUSINESS

A. Correspondence



TOWN OF EAST LYME

EAST LYME HARBOR MANAGEMENT/SHELLFISH COMMISSION

- Received CT DEEP COP – Docko for VJ Dowling – 295 Old Black Point Road, Niantic CT 06357, dated 8/30/17.
- Received letter from Fred and Patricia Wise dated 9/14/17. Opposition to Niantic Bay Shellfish to start oyster farm in Niantic River.
- Received a copy of Tim Londregan’s permit from Army Corps of Engineers dated 9/15/17. Commission members would like to review. Johnston will take it home to review and by the end of the week will drop it off with Town Clerk so others can review it also. Londregan mentioned he would also email an electronic copy to Dinsmore.

FINAL COMMENTS

- Johnston asked about the wording on the map on the website – it says Commercial Area - Hole in the Wall. How did the name get changed to “Commercial Area?” She would like it changed back to say “Lease Area” instead. Landers and Johnston discussed and Landers said he would look into changing the name.
- Johnston asked about water testing. Who is going to read the difference from Milford to East Lyme? Landers asked if she meant the rainfall totals at the location for open/close in Milford. She said yes that is what she is looking for. Landers will contact Peter Harris (WELSCO) to add Johnston to the daily emails about rainfall.
- Johnston asked Dagle if he could get the email addresses for all the members of the Board of Selectman. Johnston said they should be posted on the website and available to anyone. Dagle said he would ask the Board of Selectman for them at the next meeting.
- Landers expressed disappointment on the inaction of the Commission for not supporting Tim Londregan.

ADJOURNMENT

Motion: Murin moved to adjourn. Hitchery seconded. Meeting adjourned at 8:51 pm.

Submitted by

Mary Jane Gaudio, Recording Secretary