



**Waterford-East Lyme Shellfish Commission**  
Meeting Minutes  
 Thursday, November 16, 2017  
 East Lyme Town Hall, 7:30 pm



FILED

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 [Signature]  
 EAST LYME TOWN CLERK

Members present: Peter Harris, Larry Tytla, Paul Spakowski, J. Patrick Kelly, Tom Bowlen and Eric Kanter

Absent: Fred Grimsey

Guests: Attorney Robert Avena, Dan Cunningham Ex-Officio, Stan Parcheski, Mike Lovetere, Scott Gladstone, Robert Dutton, Fred Weisse and Ellen Fratus

- 1) The meeting was called to order at 7:30 pm after a quorum established.
- 2) The minutes of the October 19<sup>th</sup> regular meeting were reviewed. The minutes were accepted on a motion by Mr. Kelly, seconded by Mr. Spakowski noting (4) corrections under section 5 Old Business: He noted there are three shellfish commissions (delete shellfish); change anonymity to unanimity; WELSCO could spend money on seed within river but a commercial "leasing" operation is not within their "statute" (not purview); The 2002 Aquaculture plan is "grandfathered" but move to hold a public hearing.

The minutes of the November 9<sup>th</sup> special meeting were reviewed. The minutes were accepted on a motion by Mr. Spakowski, seconded by Mr. Kelly noting (2) corrections: under item 2 Public Attendance, change inconsequential problem to "not significant"; item 3 under Public Attendance change noted to "voted".

- 3) The Treasurer's report for October was presented including the financials and bank reconciliation. The Treasurer's report was accepted on a motion by Mr. Tytla, seconded by Mr. Spakowski; All in favor, motion passed. Mr. Kelly handed out copies of the proposed budget for 2018-19 noting a decrease in income as there is no scallop season open permits sales will be less and increases in grant requests to the Town of East Lyme and Town of Waterford; to assist with a purchase of a new motor for the Warden's boat.
- 4) Chief Warden's Report-
  - Boat is running well
  - Area A is open, B did not open on November 14<sup>th</sup> as there are too many boats in the water
- 5) Old Business-
  - a) Mr. Harris stated the 2016 Aquaculture policy needed to be resubmitted to contain long term leases and that any new areas created must follow statutes within East Lyme and Waterford. Motion by Mr. Kelly, seconded Mr. Spakowski, to withdraw the 2016 Aquaculture Policy and creation of WELSCO Area #7 as per recommendation by Waterford Town Attorney Avena, all in favor, motion passed. Discussion ensued on proper protocol and procedures to be followed for any amendments to the WELSCO 2002 Aquaculture Policy. Any changes would require a public notice, signage posted along the water, Board of Selectman approval and a public hearing, per Attorney Avena's instructions. When WELSCO does resubmit a new agreement with Mr. Londregan of Niantic Bay Shellfish Farm and the 2002 WELSCO Aquaculture Plan amendments and creation of WELSCO Area # 7, the Harbor Commissions would be notified and they would comment back. Attorney Avena suggested having a joint meeting of the Harbor Commissions in East Lyme and Waterford. Discussion ensued on the Waterford Harbor Management Plan with regard to shellfishing, aquaculture and the 5 ft. of water above aquaculture gear amendment that they recently voted on. The creation of a WELSCO Area #7 was discussed, Mr. Harris will ask for a joint meeting with all three commissions to review ideas in preparation of the public

hearing. The Army Corps of Engineers is still planning the hearing of December 7<sup>th</sup> on the NBSF application as it pertains to alternative areas noted in the application.

b) Motion by Mr. Spakowski, seconded by Mr. Kanter to rescind the application authorizing the Niantic Bay Shellfish Farm agreement as per Waterford Town Attorney Avena's recommendation, all in favor, motion passed.

6) New Business- None

7) Correspondence-

The 38<sup>th</sup> Annual Gathering of the Shellfish commissions is being held Saturday January 13, 2018; snow date is February 3, 2018.

Dixon dock application for 25 Park Drive, Waterford was received too late to be added to the November Agenda. Mr. Kelly noted either the engineering firm or the property owner will attend the December meeting.

Ms. Cori Rose of the Army Corps of Engineers emailed Mr. Harris stating they are continuing their process with the Niantic Bay Shellfish Farm application.

Mr. Harris completed a 2015 economic survey for Tessa Getchis at UCONN SeaGrant.

8) Ex Officio Comments-

COSCO project was withdrawn and they will not be opening in East Lyme; vandalism at McCooks.

9) Public Input –

*Stan Parcheski: The WELSCO Area 7 is the best area for clamming. Have any studies been done on this area? He would like a documented survey to be done. Mr. Kelly stated there have been studies completed in the past.*

*Scott Gladstone:*

*Concerned about safety noting Lt. Burton of the Town of Waterford Police Dept. had indicated concerns regarding the NBSF in a written statement. WELSCO should speak with public safety officials.*

*Robert Dutton: How will WELSCO notify the general public on the Army Corps of Engineers hearing? Mr. Harris will ask the Towns to post notice on their websites; possibly on facebook site or in the newspaper.*

*Fred Weisse: How will the ACOE notify the public about the hearing other than the internet, information on criteria for oyster farming; where are the sites for lease? Attorney Avena noted the Town would assist to be sure the hearing of the ACOE was posted in the newspaper. An explanation of requirements for oyster farming was discussed. There are no leases in WELSCO areas 1 - 6, only experimental projects.*

*Mike Lovetere: To move the order of anything on an Agenda must have a vote or it is a violation of the FOIA. Attorney Avena explained the Chair is authorized to move the order of the Agenda.*

*Ellen Fratus: The WELSCO area 7 is very busy with small water crafts and crowded with boat traffic. Mago Point District businesses are rebuilding and a commercial farm in the area may hinder their efforts.*

10) The meeting was adjourned on a motion by Mr. Spakowski at 8:30 pm; all in favor.

Respectfully submitted,

Amy Tinker  
Secretary