



Waterford-East Lyme Shellfish Commission

Special Meeting Minutes

Thursday, November 9, 2017

East Lyme Town Hall, 7:30 pm



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

Absent: Rich Miller resigned and Fred Grimsey

Contributors: Lou Bull, Tim Londregan, Dan Steward Waterford First Selectman, Waterford Town Attorney Robert Avena (arrived 8:15pm), Robert Dutton of Waterford Harbor Management Commission

Public in attendance

Rita Provas, Ellen Fratus, AnneMarie Rogers, Nancy Kane, Carol & Stan Parcharski,, Mike & Kathyu Lovetere

FILED  
NOV 13 20 17 AT 11:15 AM/PM  
Karen Tytla, Clerk  
EAST LYME TOWN CLERK

- 1) The meeting was called to order at 7:32 pm after a quorum established.
  
- 2) The Commission discussed the 2002 and amended 2016 Aquaculture plans and how to proceed since the Waterford Town Attorney (WTA) reviewed possible procedural misinterpretations that established WELSCO 7 in the 2016 plan. The WTA also suggested rescinding the Niantic Bay Shellfish Farm (NBSF) Agreement. Larry Tytla noted that the concerns of navigation for WELSCO 7 were minor and more about aesthetics of structure and would any other location be acceptable to the residence or businesses along the river. Rich Kanter believed that area 7 should exist but in a smaller dimension and reasons that navigation in this area is inconsequential problem. Peter Harris said that the Waterford Harbor Commission (WHC) is meeting earlier today that any aquaculture project must have seven feet of water above the project. The exact wording had not be shared with WELSCO or discuss with us. Pat Kelly and Larry Tytla noted that this would shut down all current projects and force activities into deep water like the channel. Several Commissioners question if this is legal. Tim Londregan noted that the East Lyme Harbor Management/Shellfish Commission has this requirement in the Bay. Pat Kelly noted that this requirement of East Lyme does not apply to the river historically because our current projects have not been subject to this. Peter Harris noted that the WTA supposed that if we use the 2002 Plan areas that the process would be less problematic. The Commissioners and Tim Londregan discussed the best areas in the 2002 plan and the consensus was to look at area 2 as most practicable and area 5 as second feasible. Pat Kelly noted that area B on the river is opening later and later each year because the Department of Aquaculture will not open until there are only ten active boats with heads on the river. Kelly thinks that because of the warm weather that the opening for area B may be late December or early January unless temperatures fall! Tim Londregan pointed out that area 2 was his first choice during our one year deliberation. Pat Kelly stated at that time Jim Markow was active in that area 2 with oyster grow out. Area 2 is in East Lyme water and would not be subject to WHM authority.
  
- 3) Pat Kelly made a motion to rescind the Niantic Bay Shellfish Farm Agreement. The Waterford First Selectman voted his concern that the word rescind was not on the agenda and asked for us to wait until the WTA arrives shortly. Since there was no second of motion it failed. A ten minute recess was taken to allow WTA to arrive. The WTA arrived at 8:15pm and did recommend that we put this item on agenda of next week's regular meeting with the wording to rescind. Peter Harris, Larry Tytla, & WTA suggested that a three Commission conference be setup to review the new approach WELSCO will take with the NBSF project.

General discussion and public input!

Robert Dutton of the Harbor Management Commission confirmed that the five foot above aquaculture gear amendment was approved at their earlier meeting today. The WTA said that this change to HMC plan will be reviewed by him and must go to the RTM. Robert Dutton said Tim Londregan did meet with HMC two years ago and was to return with more definitive information that never happen.

Several of the public voiced their opinions against area 7 because of "losing the six acres of the best winter shellfish area" and loss of "jetski, kayak, and paddle board" area. Peter Harris pointed out that there was a consensus of the Commission and Tim Londregan that area 7 will be annulled at next meeting.

Minute procedural information

Structure of Meeting is Roberts Rules of Order. ([www.robertsrules.com](http://www.robertsrules.com))

Minutes are never supposed to be a word for word transcript of the meeting. This was not a public hearing. Unless it is a public hearing, the commission is not obligated to respond to public comments. The public has the right to submit comments in writing to this commission to be included as correspondence.

Chairman Harris adjourned meeting at 9:17pm.

Respectfully submitted,

J. Patrick Kelly  
Secretary Pro Tempore