

**Waterford-East Lyme Shellfish Commission**Meeting Minutes

Thursday January 18, 2018

East Lyme Town Hall, 7:30 pm



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

Absent: Fred Grimsey and Tom Bowlen

Guests: Chief Warden Rich Chmiel, Attorney Robert Avena, Fred Weise, Michele Kripps, Ivy Plis, John Suhr, Scott Gladstone and Timothy Londregan of NBSF

- 1) The meeting was called to order at 7:32 pm and a quorum established.
- 2) The minutes of the December 21, 2017 regular meeting were reviewed. The minutes were accepted on a motion by Mr. Kelly, seconded by Mr. Spakowski, motion passed unanimously.
- 3) The Treasurer's report for December was presented including the financials and bank reconciliation. The Treasurer's report was accepted on a motion by Mr. Kanter, seconded by Mr. Spakowski; motion passed unanimously. Mr. Kelly noted the final season collection from Hillyer's of permit sales was received and they are closed for January and February. The East Lyme and Waterford Town Clerks offices are the only outlets open to purchase a clamming license at this time.
- 4) Chief Warden's Report-
  - Boat has been pulled and is being stored on the trailer at Mago Point Marina.
  - All shellfishing areas are currently closed.
  - Monthly samples will be completed Monday or Tuesday weather pending.

5) Old Business-

a) Mr. Harris and Attorney Avena have discussed revisions to the 2002 Aquaculture policy and are still working on a draft. Attorney Avena advised the plan be revised in accordance with the Harbor Management/Shellfish and Shellfish Commissions of both Waterford and East Lyme. Attorney Avena noted revisions to the 2002 Aquaculture Policy and any pending Aquaculture application could both be brought to Public Hearing at the same time.

b) Discussion on NBSF to utilize WELSCO area 2 for an experimental project ensued. Mr. Londregan of NBSF is working with DEEP and Attorney Avena and proposed delaying the project until the 2002 Aquaculture Policy is updated. Motion by Mr. Spakowski, seconded by Mr. Tytla to table this item, motion passed unanimously.

c) Discussion on NBSF to utilize WELSCO area 5 for an experimental project ensued. Motion by Mr. Kelly, seconded by Mr. Tytla to table this item, motion passed unanimously.

d) The Annual Shellfish Gathering was held January 13<sup>th</sup> and several commission members along with Attorney Avena and Abby Piersall attended. Mr. Harris brought handouts on aquaculture received at the gathering for anyone interested.

**FILED**

Jan 22 2018 AT 12:40 AM/PM  
*(Signature)*  
EAST LYME TOWN CLERK

## 6) New Business-

- a) The dock application of Kenney, 8 Elizabeth St. Niantic was tabled.
- b) Motion to add an agenda item under New Business to discuss drafting of an application for aquaculture by Mr. Tytla, seconded by Mr. Spakowski, motion passed unanimously. Attorney Avena drafted an application that WELSCO could use for anyone interested in conducting a shellfishing project or a lease. Once the draft is reviewed and WELSCO approved it would be sent to the Harbor Master's and local Town's to review on a final version. Attorney Avena also reviewed local agencies, commissions, DEEP and Army Corp of Engineer protocol regarding shellfish projects and leases. He further noted any lease provisions would include language on projects in jeopardy. The 2002 Aquaculture Policy does include the right to rescind a project.

7) Correspondence-

- a) Mr. Harris noted the FOI Seminar held at the Waterford Town Hall was very informative.
- b) Mr. Harris noted a discussion of exploring aquaculture will be held on January 29, 2018 by Tessa Getchis of Sea Grant UCONN at 7pm at the La Grua Center in Stonington CT.
- c) An email was received from Julie Rosa of NOAA- a researcher at the Fisheries laboratory in Milford. She is currently involved in a project using GoPro cameras to document how fish use oyster cages as habitat. The website contains information and videos.  
<https://www.nefsc.noaa.gov>
- d) Mr. Harris noted that the ACOE NBSF public hearing has not been scheduled. He received an email response from Cori Rose of Army Corp of Engineers stating the NBSF public hearing has not been scheduled as they were notified a Mediation hearing is being held. Janice B. Deshais, Esq. Director of Adjudications at DEEP sent an email to WELSCO, Waterford Harbor Management, CT DA/BA, US Army Corp of Engineers and others of the Notice of Mediation RE: Niantic Bay Shellfish Farm. The notice does state that "Mediation is not a hearing; its goal is to resolve differences efficiently and cooperatively without the need for a formal process". Attorney Avena stated as this is a legal mediation hearing and not a public hearing it is doubtful the public would be allowed to attend.
- e) Mr. Kanter reviewed information of nitrogen overloading in an Aquaculture project in the Chesapeake Bay.

8) Ex Officio Comments-

The Ex Officio is being reassigned and was not present.

9) Public Input --

*Fred Weise: Asked for an explanation of the notice of mediation and had experimental project concerns.*

*Michele Kripps: Inquired on public attendance at the notice of mediation.*

*Ivy Plis: Concerned with the location of a shellfish project and the size of any project.*

*John Suhr: Would an application for a project include maps.*

*Scott Gladstone: Concerned about insurance/bonding on a project and who would be the responsible parties in a legal issue with a project.*

*Tim Londregan: Commented on the benefits of aquaculture; stated he does carry insurance and that a mooring owner is not required to have insurance.*

10) Meeting was adjourned at 9 pm on a motion by Mr. Spakowski, seconded by Mr. Tytla; all in favor.

Respectfully submitted,

Amy Tinker  
Secretary

