

EAST LYME BOARD OF SELECTMEN
PUBLIC HEARING OF AUGUST 7, 2019
MINUTES

PRESENT: Mark Nickerson, Kevin Seery, Daniel Cunningham and Paul Dagle

EXCUSED: Rose Ann Hardy and Marc Salerno

Also in attendance; Town Attorney Tracy Collins, Steve Dinsmore of the Harbor Management Commission, and Geoffrey Steadman.

Mr. Nickerson opened the Public Hearing to consider the adoption of an ordinance entitled "Ordinance Modifying The 1994 Ordinance For The Use And Enjoyment Of The East Lyme Harbor Management Area". He stated that he caused the Notice of Public Hearing to be posted on the signpost, and that it was published in *The Day* on July 25, 2019. He invited Mr. Dinsmore and Mr. Steadman to give a brief overview of the plan and the process of getting to these modifications.

Mr. Dinsmore stated that they original plan was published in 1994, and they have been working on the amendments with the DEEP for the past five years. The original plan was created by Geoffrey Steadman, and Mr. Steadman has also been working with the Harbor Management Commission and the DEEP on this modification of the plan, as well as the modifying ordinance. He introduced Mr. Steadman and invited him to present.

Mr. Steadman gave a brief history starting from the Harbor Management Act of 1984, and he gave an overview of the plan itself and the most notable modifications made from the original plan adopted in 1994. A couple of the major changes noted were as follows: change in governing body to CT Port Authority from the State DOT; addition of Town goals designed to protect the environment; policy changes including but not limited to the addition of the Harbor Management Commission, and the stipulation that all applications, including from the State of Connecticut, must be brought before the Harbor Management Commission; Cini Park, Cini Beach and the Boardwalk have been included in the management plan; and some roles have been re-defined as outlined in Chapter 7, which gives more weight to the Town and the Harbor Management Commission. There have been some questions about reference to street ends in that some are town owned and some are privately owned. It was noted that these comments are being taken into consideration and certain areas of the plan will be adjusted depending on whether the street end is Town owned or privately owned.

Mr. Steadman thanked the Board of Selectmen and the town as a whole for working with them in finalizing this updated plan. Mr. Nickerson thanked Mr. Steadman and Mr. Dinsmore, and everyone who has worked on the plan, for their hard work and diligence in getting this document updated. Mr. Nickerson then opened up the meeting for public comment.

Mr. Paul Vincenti, 14 Round Rock Road, spoke regarding the additional right of ways. He stated that he is a member of the Oswegatchie Hill Club, and that there have been conversations in the past where the street ends and fire docks were a gray area and this Harbor Management Plan really puts

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B. Steadman
EAST LYME TOWN CLERK

those areas into black and white. He thanked them for their hard work in creating a great document. He specifically expressed concern with contradicting language on page 1-7 and then 1-16 regarding private access to the harbor at Round Rock Road in Saunders Point. Regarding the fire dock at the end of Town Road; he stated that in the event that the fire dock is officially taken out of commission, that dock should be returned to the original owner(s) and not released to the general public. He stated that on page 5-26 subsection C that it outlines that the Town will, when there is available money in the budget and time allows, investigate proper ownership. They are looking forward to working with the Town on getting this done, and respectfully request that the Town and the Commission support the members on this. Mr. Nickerson stated that the Town does support clearing this matter up.

Ms. Debbie Jett-Harris, 19 Center Street, Pine Grove, thanked all involved for their hard work and stated that she is very pleased to see the updates concerning protecting the environment. She stated that she is in agreement with Mr. Vincenti's comments regarding the fire docks and ownership. She feels that the Town should return them to the property owner/association on record as the Town no longer uses or maintains them. She stated that the fire department no longer uses the fire docks because the newer fire trucks cannot use salt water.

Mr. Seery thanked everyone for a great job in updating these documents. He noted that the document contained language pertaining to the Resident State Trooper, which we no longer have. Attorney Collins stated that those changes do not affect the document and can be made with the next update, and that the sections fully apply to our current situation of independent police department with a Chief of Police. Mr. Steadman stated that such factual changes and can easily be made before the document is final and published without DEEP approval, we would just report such changes to them.

Mr. Nickerson stated that there are discrepancies that need to be researched and addressed on pages 1-7 and 1-16 regarding water access right-of-ways. Both Attorney Collins and Mr. Steadman acknowledged that the research will be done and the discrepancies addressed and fixed before the final plan comes before the Board of Selectmen for approval and adoption. Mr. Nickerson inquired as to if this would be a living, working document, and Mr. Steadman confirmed that going forward, any changes will be made in the form of an addendum.

MOTION (1)

Motion by Mr. Dagle to close the Public Hearing of August 7, 2019, at 8:14 p.m.

Seconded by Mr. Seery. Motion passed 4-0.

Respectfully Submitted,



Sandra Anderson
Recording Secretary