



TOWN OF EAST LYME
EAST LYME HARBOR MANAGEMENT/SHELLFISH COMMISSION

Chairman
Stephen Dinsmore

Treasurer
Donald F. Landers Jr.

Secretary
Joseph L. Hitchery

Not official until approved by the Commission at its next regular meeting

February 17, 2015 Regular Meeting Minutes; East Lyme Town Hall

Commissioners Present: Stephen Dinsmore; Donald Landers; Joseph Hitchery; and Rick Kanter

Commissioners Absent: Barbara Johnston; William Mountzoures; and Greg Murin

Ex Officios Present: Harbor Master Dick Morris

Ex Officios Absent: Marc Salerno

Others Present: Timothy Londregan III, Eric Fortin, Peter Harris, and others.

FILED IN EAST LYME
CONNECTICUT
Feb 23 2015 AT 10:00 AM/PM
[Signature]
EAST LYME TOWN CLERK

1. Call to Order the Public Hearing. Chairman Dinsmore called the public hearing to order at 7:05 p.m.

2. Public Hearing on Timothy Londregan III's Lease Proposal

Mr. Londregan made a brief presentation regarding his lease proposal and distributed a short handout to the Commissioners to aid in the description of his plans.

A. Public Comments:

- I. Eric Fortin, 17 Cherry Street, Niantic commented, "If it helps the bay, that's what we're looking for."
- II. Chairman Dinsmore described the benefits of having shellfish and how they improve the water quality.
- III. Commissioner Landers questioned why there was a recommended reduction from 7 acres to 2 acres, as per preliminary discussions that took place between Mr. Londregan and the Army Corps of Engineers. Mr. Londregan showed the Commissioners a letter he had received from the Corps in regard to this issue indicating that 2-acre plots are typical in an application. His plan is to accept an initial 2 acres if approved, cultivate it, and then go back to the Army Corps to request more acreage.
- IV. Commissioner Hitchery asked Mr. Londregan what his plans are, in terms of removal of his equipment, should the venture fail. Mr. Londregan ensured Commissioner Hitchery that he desires to make as minimal an impact as possible, and he would clean up all of his equipment from the site.
- V. Chairman Dinsmore inquired regarding the remaining 56 acres that are not part of

the proposed 7 acres for Type II aquiculture. Mr. Londregan stated that his intentions are to do a technically Type I aquiculture, with diving being the form of cultivation on the property. He doesn't want to dredge it, and would rather keep the natural ground intact, sow seeds, and dive on it.

- VI. Commissioner Landers was curious regarding the meeting that Mr. Londregan has scheduled next week, and who would be included. Mr. Londregan indicated that DEEP, DABA, Shannon (?), and Dave Carey will participate.
- VII. Commissioner Kanter questioned if Mr. Londregan had spoken to the Boating Division. Mr. Londregan says that he spoke to Marc a year ago, but not recently.
- VIII. Commissioner Landers explained Mr. Londregan's next steps, and indicated that this was the very first step in his venture. He also announced that the public hearing was properly noticed in The Day. Mr. Londregan submitted a check for the application/filing fee.

3. Adjournment of Public Hearing. Chairman Dinsmore closed the public hearing at 7:25 p.m.

4. Call to Order. Chairman Dinsmore called the meeting to order at 7:25 p.m.

5. Approval of Minutes of the Regular Meeting of January 20, 2015.

MOTION: Commissioner Hitchery moved to approve the January 20, 2015 Regular Meeting Minutes, as presented. It was seconded by Commissioner Kanter. The motion carried. (4-0-0)

6. Public Delegations

Eric Fortin requested more information on Millstone's efforts in the Niantic River. Commissioner Landers indicated that it's part of a very broad ecological program, in which three tows are taken, about 0.37 nautical miles, which enumerate and measure the dominant fish species and vertebrates, as required by the Water Discharge Permit from the State of Connecticut. He stated that a report is issued annually on this subject.

4. Reports

A. Shellfish. Commissioner Kanter says that the river is open, and people are out clamming.

Chairman Dinsmore questioned if the rain gauge calculated snow in its rain total. Mr. Harris stated that it shouldn't, because snow doesn't cause a runoff, and that only liquid rain would be calculated.

B. Harbor Master.

- I. Mr. Morris notes that the Harbor Masters are going to be initiating a training program on March 5th at the Waterford Library. This will be run by Homeland Security, and will be a course of eight classes, on Wednesday nights, for eight

weeks. This is a pilot course, and it will be run three times, consecutively, to ensure attendance of all who desire. He described the curriculum, and noted the Coast Guard's participation in the program.

- II. Chairman Dinsmore discussed the proposed legislation to move the Connecticut Harbor Masters from DOT responsibility to the new Port Authority, DEEP, municipalities, or other entity. Discussion ensued on the topic. Mr. Morris stated a survey has been distributed to poll the different Commissions of the State on their desires for who would be responsible for their Harbor Masters. Chairman Dinsmore wanted to schedule a special meeting for next week on the issue, but will hold off until he has heard back from John Pinto on an extension for responding back to the survey.

C. Treasurer. Chairman Dinsmore and Commissioner Landers met with First Selectman Nickerson and the Department of Finance last Thursday, where the budget of the Commission was questioned. There is a bit of confusion as to why there are four separate Commissions: the East Lyme Harbor Management/Shellfish Commission; WELSCO; the Waterford Harbor Management; and the Waterford Shellfish Commission.

Commissioner Landers stated that the Commission requested \$8,000 more this year to support their mission. Yet there was much concern about the \$3,000 for the pump out boat being requested from both East Lyme and Waterford, and Chairman Dinsmore indicated his suspicions that perhaps Waterford had not previously been giving money to support the pump out boat. The total requested for the Commission was \$17,600.

D. Ex Officio. Mr. Salerno was absent.

5. Old Business

A. Harbor Management Plan - Update.

- I. Commissioner Hitchery indicated that Geoff Steadman had met with the DEEP Rep last week and reviewed the provisions, which resulted in three pages of comments and minor revisions. Mr. Steadman is in the process of editing the Harbor Management Plan and should have it ready, in its entirety, by March 9th. A special meeting is to be scheduled to do a final review of the Ordinance and the Harbor Management Plan. Commissioner Hitchery distributed the revised Ordinance to the other Commissioners.

Commissioner Landers stated that there needs to be a communication effort to get the revised Harbor Management Plan out to other organizations, in order to get their input on it. Chairman Dinsmore stated that, at some point, there would have to be a public hearing to present both items. The organizations that Commissioner Landers wants to include are (but not limited to): Friends of Oswegatchie Hills, WELSCO, Save the River - Save the Hills, and Niantic River Watershed Committee.

B. Review of Timothy Londregan's Lease Proposal.

MOTION: Commissioner Landers moved to accept the application, as proposed. It was seconded by Commissioner Hitchery. The motion carried. (4-0-0).

Mr. Londregan inquired as to when he needed to remit payment for the proposed application, and Commissioner Landers indicated it was required after Mr. Londregan received all necessary permits.

C. Rain Gauge Discussion. Mr. Harris, Chairman of WELSCO, discussed the USGS Gauge and that it was no longer being funded by either Commission. Hence, it was to go offline soon. He noted that the WeatherLink gauge has been up for a couple of months, and Ledge Light is currently working to amend the MOUs to make WeatherLink the official rain gauge. They are in the process of adding in a 1-inch trigger for both day rain and storm rain.

Mr. Morris indicated that currently the system is stuck on Friday, the 13th, and is unsure as to the cause, but believes it may be due to a power outage, or someone turning off the computer, or that it is just frozen. They are still trying to resolve this problem.

It is also noted that WeatherLink software is available to all those who want, whilst the administrative capabilities stay with the computer at the station, so there is no risk of someone going in and making modifications to the settings.

Chairman Dinsmore reminded the Commission that WeatherLink was approved for use at last month's regular meeting. Commissioner Landers wanted to get a demonstration of the system by Mr. Morris in the near future.

6. New Business

A. Correspondence.

Commissioner Kanter stated he received an email from Judy Rondo from the Niantic River Watershed Committee, indicating that four bills were about to go up to the State Environmental Committee regarding shellfish, one in particular having to do with establishing a certified shellfish lab at Avery Point.

B. Lee Deer Mooring Discussion.

Commissioner Hitchery indicates there are really two questions: permit jurisdiction; and possibility of waiver of fee. This matter has been tabled until next month, to enable Three Belles Marina to attend.

C. Dan Adams, 239 Old Black Point Road DEEP Permit Consultation Form

Mr. Adams and Susan Marchart, Professional Engineer, are present to answer questions regarding this proposed dock. Ms. Marchart indicated it would be identical to a neighboring dock, and that the proposed width of 5 feet has been approved by DEEP, and

is necessary to properly support the dock during storm conditions and exposure. She indicated that the Commission's approval is the last step, prior to initiating construction on the dock.

MOTION: Commissioner Landers moved to find the Dan Adams, 239 Old Black Point Road, dock proposal consistent with both Harbor Management Plan and Shellfish Plan. It was seconded by Commissioner Kanter. The motion carried. (4-0-0)

D. Victor Dowling, 295 Old Black Point Road DEEP Permit Consultation Form

Chairman Dinsmore stated this is a COP, and the Commission has no say on the matter. Commissioner Landers indicated it would be in the Commission's best interest to submit a paragraph reinforcing earlier concerns about this dock project to DEEP. Once it is written by Commissioner Landers, it will be submitted to Chairman Dinsmore for his approval, and then sent off to DEEP.

7. Final Comments.

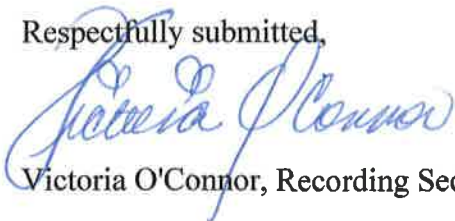
Commissioner Kanter stated there is a WELSCO meeting on Thursday at the Waterford Town Hall at 7:30 p.m.

Commissioner Hitchery inquired about the dinghy dock at Cini Park. Mr. Morris said that the grant was refused, and that it was all predicated on the sewer going in there and building a bathroom. They are still up in the air regarding if they will pursue this project.

8. Adjournment

MOTION: Commissioner Landers moved to adjourn the meeting at 8:37 p.m. It was seconded by Commissioner Hitchery. The motion carried. (4-0-0)

Respectfully submitted,

A handwritten signature in blue ink that reads "Victoria O'Connor". The signature is written in a cursive, flowing style.

Victoria O'Connor, Recording Secretary