



Mar 3 20 11 at 11:30 AM PM

TOWN OF EAST LYME
EAST LYME HARBOR MANAGEMENT/SHELLFISH COMMISSION*Esther B. Williams*
EAST LYME TOWN CLERKChairman
Donald F. Landers Jr.Treasurer
Stephen DinsmoreSecretary
Barbara JohnstonEast Lyme Harbor Management/Shellfish Commission
Special Meeting Minutes
March 1, 2011

Members Present: Don Landers, Chairman, Barbara Johnston, Secretary, Rik Kanter, Marvin Schutt, and William Montzoures

Also Present: Joseph Hitchery, Harbor Master, Gary D. Smith, P.E., Keith Neilson of Docko, Inc. and Cliff Kramm

1. Call to Order. Chairman Landers called the Harbor Management/Shellfish Commission Special Meeting of March 1, 2011 to order at 7:32 p.m.

2. Discussion Pending Application for Bayview Landing, East Main Street. Chairman Landers reclused himself from discussion on this application because he was involved with providing information on the project.

Ms. Johnston asked will there be dingys on both sides of the dingy dock? Mr. Smith replied there will be. Mr. Kanter asked if the dock will be free and available to the public? Mr. Smith replied it will be. Mr. Montzoures asked if there will be a sign stating that the dingy area is available? Mr. Smith replied there will be.

Mr. Smith was asked if 111 Main Street is the address of the property? Mr. Smith replied it is.

Mr. Smith was asked if there are any plans for the building other than as it is? He replied there were no other plans other than new bathrooms.

Ms. Johnston asked if the store will remain? Mr. Smith replied it will.

Ms. Johnston asked on the bulkhead when you face northeast will there be any boats tied to it? Mr. Smith replied there will not.

Ms. Johnston asked if the bulkhead will be replaced with steel? Mr. Smith replied the applicant is considering steel.

Ms. Johnston asked if the center will be curbed? Mr. Smith replied the plan is to curb it. Mr. Mulholland will have the final say.

Ms. Johnston recommends a second emergency exit, even if it is temporarily opened in the winter to enable emergency equipment in.



Ms. Johnston asked if there will be electrical outlets for each pier? Mr. Smith replied there will be. She felt concrete was sturdier and easier to walk on. Mr. Smith agreed to check into it. Ms. Johnston asked if there will be lights at night. Mr. Smith replied each stanchion will have a light. Ms. Johnston asked if there will space for larger boats? Mr. Smith referred to the plan. Ms. Johnston felt commercial space should remain. Mr. Smith replied commercial boats can rent there. Ms. Johnson asked if there will be space for a little troller? Mr. Smith replied there will be. Ms. Johnson asked if the height of the original building will be the same? Mr. Smith replied it will.

Ms. Johnston asked if Boats, Inc. has been contacted about this project? Mr. Smith replied the applicant has discussed it with them. Mr. Smith will also have discussions with them.

Ms. Johnston asked who owns the area to the bridge? Mr. Smith replied it is a state road and the Town owns Cini Park.

Ms. Johnston asked if there will be two free spaces for loading and unloading? Mr. Smith replied it has not been outlined but he will look into it.

Ms. Johnston asked if there will be a special area for transient boaters? Mr. Smith replied they will be mixed throughout the marina.

Ms. Johnston asked if there will be any pump out system on land? Mr. Smith replied there will be a pump out system on the fill dock.

Ms. Johnston asked if the DEP permit in 1967 could still be used? Mr. Smith replied it will have to be revised.

Ms. Johnston asked for an explanation of the dotted lines on the plan. Mr. Smith showed the outline of the slip area.

Mr. Mountzoures asked if an environmental impact study will be required for this project? Mr. Smith replied it will not.

MOTION (1): Ms. Johnston moved that this Commission accepts Bayview Landing Marina to be consistent with the Harbor Management Plan. The Commission has determined that the work described in Part 1 of this form and attachment is consistent with the Harbor Management Plan. Seconded by Mr. Schutt. Mr. Landers recused himself from voting. (4-0-0) Motion carried.

Discussion on Pending Application of Vincent Dowling, 295 Black Point Road, Niantic. Keith Neilson of Docko, Inc. presented revisions to the new fixed pier at this



location. He showed areas where there are boulders. Mr. Landers asked if the piling is 90' from the high tide line? Mr. Neilson replied at the top of the revetment it is 40' back. Reveted 25' from the toe to the top. 60' from the mean low water line. 80' from the high tide line.

Mr. Landers asked if the two adjoining property owners have been notified? Mr. Neilson agreed to approach the neighbors. He also recommended that the DEP Boating Division be consulted with because of its location. Mr. Mountzoures stated DEP requires that adjacent neighbors be notified and given an opportunity for comments. Mr. Kanter felt a hurricane will come from the Southeast. He also felt there will be very little opportunity for the applicant to use his boat there.

Mr. Schutt felt Mr. Neilson as done everything possible to have this dock survive but ultimately something serious could happen because of its location. It would be in the applicant's best interests not to have his dock at this location. Mr. Neilson agreed to speak to the applicant regarding concerns of this Commission.

Ms. Johnston asked what is the size of the pilings? Mr. Neilson replied 30' Class B. The soil will probably be 8".

Ms. Johnston asked where will the seasonal decking be moved to? Mr. Neilson it will be stored on site. Ms. Johnston suggested contacting the neighbors regarding this matter.

Ms. Johnston asked that DEP Boating Division comment on this project. She did not feel a dock should be placed at that location. Mr. Neilson stated it is consistent with DEP standards and has been reviewed by them. She would like to be assured that the Town of East Lyme and the Harbor Management Commission will be liability free.

Mr. Landers referred to page 4-6 of the Harbor Management Plan. He suggested that the Black Point Beach Association be made aware of this project prior to a determination of this Commission.

Mr. Landers referred to page 4-8, 6b, page 4-14, a. and b., and p.4-20 of the Harbor Management Plan.

Mr. Kanter stated it is up to the applicant to contact neighbors and report back to this Commission. Mr. Neilson agreed to provide letters.

Mr. Kanter felt the structure should not be allowed to be derelict. The property owner will need to remove it.

Mr. Hitchery felt prior to any approval it should be stated that the applicant is responsible to take immediate steps to clear the area.

Mr. Kanter felt that anyone with experience on the water would understand a dock cannot be built at that location. Mr. Mountzoures referred to the damage of Hurricane Carol.



Mr. Landers stated based on review of this plan we feel the applicant and his consultant need to talk with the neighbors and the Black Point Beach Association and give them information on this proposal. We also recommend that DEP consult with its Boating Division regarding navigational hazards. If approved and DEP approves, the DEP should be held responsible in the event of a storm.

Mr. Neilson stated at the end of the pier there is 42" internal wiring for a light mounted to the post. Mr. Hitchery felt it should not be a bright light. Mr. Neilson replied it is generally in the range of 25 watts.

Mr. Mountzoures asked if the location of this will be discussed with the Coast Guard. Mr. Neilson stated it will be coordinated with the Coast Guard and Army Corps of Engineers.

Mr. Schutt felt fog would be a major hazard.

The Commission will wait for additional information from Mr. Neilson before any action is taken on this application.

MOTION (2): Mr. Mountzoures moved to table any decision on this application until such time as Mr. Neilson provides additional information to this Commission. Seconded by Ms. Johnston. (5-0) Unanimous.

3. Adjournment

MOTION (3): Mr. Mountzoures moved to adjourn the Harbor Management/Shellfish Commission Special Meeting of March 1, 2011 at 8:40 p.m. Seconded by Mr. Schutt. (5-0) Unanimous.

Respectfully submitted,

Frances Gheri, Recording Secretary