

**REGULAR MEETING**  
**Minutes of Tuesday, March 15, 2011**  
7:30 p.m., East Lyme Town Hall  
108 Pennsylvania Avenue  
Niantic, CT 06357

FILED IN EAST LYME TOWN  
CLERK'S OFFICE

Apr 25 20 11 at 8:40 AM PM

*Esther B. Williams*

EAST LYME TOWN CLERK

**Present:** Chairman Don Landers, Secretary Barbara Johnston, Treasurer Dinsmore, Marvin Schutt, Rick Kanter and William Mountzoures

**Also Present:** Harbor Master Joe Hitchery, Deputy Harbor Master Marc Berger and John Birmingham, Ex officio

**Absent:** Greg Murin

**1. CALL TO ORDER**

Chairman Landers called to order the March 15, 2011, Regular Meeting of the Harbor Management/Shellfish Commission at 7:30 P.M.

**2. APPROVAL OF MINUTES OF REGULAR MEETING OF FEBRUARY 15, 2011**

Mr. Landers asked for additions, deletions or corrections to the February 15, 2011 Regular Meeting Minutes of the Harbor Management/Shellfish Commission Meeting.

The following corrections were noted: The last two sentences on page 1 to be revised as follows: "Mr. Smith stated if we obtain grants they require that transient slips be available as part of the grant application. There are limited transient slips in this area." The first sentence of the last paragraph on page 2 to be revised as follows: "Mr. Smith informed the Commission we would like to see a picnic area for the marina, public parking, a sitting area, sidewalk and a landscaped area along the roadway." The first sentence of the last paragraph on page 5 to be revised as follows: "Ms. Johnston noted Three Bells and Port Niantic received an award for being a green marina."

**MOTION (1): William Mountzoures moved to approve the Minutes of the Regular Meeting of February 15, 2011, as amended. Seconded by Marvin Schutt. Mr. Dinsmore abstained from voting. (4-0-1) Motion carried.**

Mr. Landers asked for additions, corrections or deletions to the March 1 Special Meeting Minutes of the Harbor Management/Shellfish Commission Meeting.

The following corrections were noted: On page 1 under Members Present Rick was misspelled. On page 3 the next to the last paragraph to be revised as follows: "Mr. Hitchery said prior to any approval, it should be understood that in the event of storm damage to the dock the applicant is responsible to take immediate steps to clear the area

of any debris.” The first sentence of the last paragraph on page 3 to be revised as follows: “Mr. Kanter felt that anyone with experience on the water would understand a dock should not be built at that location.”

**MOTION (2): William Mountzoures moved to approve the Minutes of the Special Meeting of March 1, 2011, as amended. Seconded by Marvin Schutt. Mr. Dinsmore abstained from voting. (4-0-1) Motion carried.**

### **3. PUBLIC DELEGATIONS**

**There were no public delegations.**

### **4. REPORTS**

A. Warden. There was no report.

B. Harbor Master. Mr. Hitchery reported over one-half of the 2010 mooring permits have been renewed and new decals sent out. The letter sent to Thomas Faber requesting that he remove his boat from Camp Niantic Shoreline was returned as undeliverable and unable to forward.

Commission member Barbara Johnston arrived.

Mr. Kanter agreed to deliver the letter to Mr. Faber’s home.

C. Treasurer. Mr. Dinsmore reported we have received \$2700 for mooring permit fees. The Recording Secretary submitted a bill for 6.75 hours of secretarial work from February 15 to March 2, 2011. Invoices have been received from the Waterford/East Lyme Shellfish Commission (WELSCO).

A Board of Finance Hearing on this Commission’s budget will be held on March 23 at 6:30 p.m.

Mr. Landers reported that Public Works would like to dispose of the abandoned 27’ boat stored at the Town Garage since October 2009.

The Harbor Master said that he spoke to the owner of record in 2009, and she has no interest in the boat. Mr. Kanter stated in the future the Commission should have a procedure to follow in regard to abandoned boats. Mr. Hitchery agreed and suggested that Town Counsel be consulted.

**MOTION (3): Mr. Kanter moved to approve the bill dated March 14, 2011 from Watermark Marine Services, Inc.**

**in the amount of \$350 for hauling the abandoned boat to the Town garage in October 2009 and an additional \$250 for the cost of hauling the abandoned boat to the transfer station for disposal; total authorized funding not to exceed \$600. Seconded by Mr. Mountzoures. In Favor: Landers, Dinsmore, Kanter, Schutt, Mountzoures. In Opposition: Johnston. (5-1-0) Motion carried.**

John Birmingham, ex officio, arrived.

**MOTION (4): Mr. Schutt moved to approve the Treasurer's Report. Seconded by Mr. Mountzoures. Mr. Dinsmore abstained from voting. (5-0-1) Motion carried.**

D. Ex-Officio. Mr. Birmingham reported the Board of Selectmen decided to stay with Ledge Light Health District for one year. Ledge Light Health District has reduced its cost and it will try to have better communication.

Mr. Kanter reported the Waterford/East Lyme Shellfish Commission sent a letter to the Board of Selectmen on February 23, 2011, a copy of which is attached to the Minutes. Mr. Calkins asked WELSCO to remain with Ledge Light Health District.

Mr. Landers did not feel at this time there was enough information to make a change.

## **5. OLD BUSINESS**

A. Harbor Management Plan - Reports from Subcommittees. There were no reports from subcommittees.

## **6. NEW BUSINESS**

A. Correspondence.

1. March 3, 2011 letter from DEP to Jack Sanga of 4 Hill Road approving his permit application.
2. March 13, 2011 letter from DEP to Knut Aarsand tentatively approving his application.
3. An emailed draft copy of Department of Agriculture, Bureau of Aquaculture and Laboratory, Management Plan and Memorandum of Understanding and Agreement for the Operation of the Conditionally Approved Areas in the Towns of East Lyme and Waterford. Commission members were given copies and asked to be prepared to discuss it. Mr. Landers recommends a workshop with all three commissions. Mr.

Kanter and Mr. Landers will schedule a meeting to review the MOU.

4. An email was received from Pat Kelley, Co-Chairman of WELSCO, informing this Commission that WELSCO is considering a proposal to allow commercial harvesting of shellfish in the Niantic River.

B. Discussion of Dowling Dock Application at 285 Black Point Road. Ms. Johnston distributed photos of Black Point during last Thursday's storm.

She spoke to a neighbor who was not aware of plans for a dock. She indicated that the Black Point Beach Association was not aware of plans for a dock.

**MOTION (5): Mr. Dinsmore moved to table discussion of the Dowling Dock Application at 285 Black Point Road until this Commission hears back from the Consulting Engineer. Seconded by Mr. Schutt. (6-0-0) Unanimous.**

#### **7. COMMENTS FROM OTHER COMMISSION MEMBERS.**

Mr. Dinsmore requested an update of the Contact List.

Mr. Schutt showed Commission members magnets and stickers advertising the pump out boat. He reported that the President of Save the River Save the Hills felt his organization should have been recognized on this material. Mr. Kanter and Mr. Landers stated that the East Lyme and Waterford Harbor Management Commissions and WELSCO each contributed payment towards this material. Mr. Kanter agreed to discuss this matter with Mr. Grimsey. Mr. Hitchery suggested that these items be distributed through the Town Hall and marinas.

Mr. Dinsmore will attend Agri Day at the State Capitol with the Beekeepers Association and report on it at the next regularly scheduled meeting of this Commission.

#### **8. ADJOURNMENT.**

**MOTION (6): Bill Montzoures moved to adjourn at 9:00 p.m. Seconded by Steven Dinsmore. (6-0-0) Unanimous.**

Respectfully submitted,

Frances Ghersi  
Recording Secretary