



**TOWN OF EAST LYME**  
EAST LYME HARBOR MANAGEMENT/SHELLFISH COMMISSION

Chairman  
**Donald F. Landers Jr.**

Treasurer  
**Stephen Dinsmore**

Secretary  
**Barbara Johnston**

***REGULAR MEETING***  
***Minutes of Tuesday, January 19, 2010***  
7:30 PM, East Lyme Town Hall  
108 Pennsylvania Ave.,  
Niantic, CT 06357

**Present:** Chairman Don Landers, Secretary Barbara Johnston, Treasurer Steven Dinsmore, Greg Murin, Bill Mountzoures, and Marvin Schutt

**Absent:** None

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

Frank Gillig, Applicant for 17 North Edgewood Road, Niantic

David Provencher, Project Manager Coastline Consulting

**1. Call to Order**

Chairman Landers called to order the January 19, 2010, Regular Meeting of the Harbor Management Commission at 7:30 PM.

**2. Approval of Minutes of Regular Meeting of December 15, 2009**

**MOTION (1): A motion to approve the minutes of the Regular Meeting of December 15, 2009 was made by Mr. Mountzoures.**

**Seconded by Mrs. Johnston.**

**Motion carried 6-0-0.**

**3. Public Delegations**

There were None.

**4. Old Business**

**A. Mooring Permits**

There was discussion as to the order of the Agenda and who would handle specific duties going forward. Mr. Hitchery suggested that he give his report prior to the section of Mooring Permits under Old Business because his report is mostly regarding Mooring Permits. It was decided to change the order of the Agenda for future meetings. It was also stated that Mr. Hitchery would provide Mr. Murin with copies of applications and Mr. Murin would be responsible for maintaining the database.

**B. Harbor Management Plan – Reports from Sub-Committees**

There was No report.

## **5. New Business**

### **A. Correspondence**

There were two DEP permits to address.

#### **1. Frank Gillig -17 North Edgewood Road, Niantic**

Mr. David Provencher, Project Manager for Coastline Consulting presented the Commission with the plans for construction of a new dock at the residence of Mr. Frank Gillig. Mr. Provencher stated that he was currently working with Mr. Jeff Westermeier, Analyst for the DEP and that the DEP has reviewed the plans and agrees that they are consistent with their policies and current regulations. Mr. Provencher described the specifications of the plans. Mr. Gillig mentioned the dock stops, and there was discussion as to the potential issues with navigational hazards. Mr. Landers suggested that the application be accepted as consistent with the Harbor Management Plan, with the following comments A. There are no natural shellfish beds in this area so there is no need for dock stops, and B. the dock stops may pose a navigational hazard to other recreational users of Smith Cove.

**MOTION (2): A motion to approve the application as consistent with the Harbor Management Plan with the recommendations, was made by Mr. Dinsmore.**

**Seconded by Mr. Murin.**

**Motion carried 6-0-0.**

#### **2. Giants Neck Beach Association, Sand Recovery & Redistribution**

There was discussion about the process of sand recovery, i.e. to either push back the sand for the winter and redistribute in the spring or to purchase new sand every year. It was decided that this was a “pre-application”. Mr. Berger asked what steps were necessary to submit a formal application. Mr. Landers stated that a PE stamp would be necessary on any drawings for an individual permit. He also suggested that the Association contact Mr. Westermeier of the DEP. This item was tabled until receipt of formal application.

Mr. Landers presented the commission with correspondence form Mr. Dave Carey of the Department of Agriculture – Bureau of Aquiculture and Laboratory.

This was information on requirements for shellfish sampling and water sampling programs. Mrs. Johnston asked if there was a formal class. Mr. Landers replied there was not. He said he would be attending a meeting about this information on Thursday, January 21. Mr. Johnson commented on water sampling.

Mr. Landers presented the commission with a copy of the letter of interest from Mr. Johnson to serve on the Harbor Management Commission.

### **B. Plan of Conservation Development (update to chapter 5 – Coastal Area)**

There was no comment on Chapter 5. This item was tabled until the next meeting.

## **6. Reports**

### **A. Warden**

There was No Report.

## **B. Harbor Master**

Mr. Hitchery reported that all the renewal applications for existing mooring permits were sent out on Monday January 4. There were 187 sent and approximately 30 responses as of today, January 19. The stickers for permitted moorings must be on by May 31<sup>st</sup> so that beginning June 1<sup>st</sup> they can begin pulling the moorings that have expired permits. Moorings that have expired will be marked with a red sticker and the owner will be provided with written notice that they have 14 (fourteen) days to respond. If they do not renew their permits, the moorings will be hauled. Mr. Hitchery reported that there are moorings that have been pulled, located on Bishop's Bay fire dock and also on the Grand Street Landing. He said he was making arrangements with Mr. Holyfield of Public Works to have these removed. He questioned the procedure for disposing of unidentified moorings, and suggested that there be a 30 or 60 day period in which the owners of said moorings can reclaim them.

Mr. Berger commented that this had been discussed and it was decided that the unclaimed moorings would be disposed of after 30 days. He also proposed that the contractors hired to haul the moorings be allowed to keep any unclaimed moorings that were marked for disposal to offset their charges for services rendered. Mr. Hitchery said he was looking for guidance on this matter and suggested a procedure be formally written by the commission.

There was discussion as to how to notify the owners of the moorings to allow them the opportunity to claim them. Mr. Landers suggested calling Chief Pendleton for advice and perhaps putting an ad in the newspaper.

Mr. Schutt suggested we add this to next month's meeting agenda.

## **C. Treasurer**

Mr. Dinsmore reported that he had received a budget submittal request from the Town. He suggested that funds be reallocated from shellfish warden expenses to maintenance of the harbor to assist in covering the cost of hauling moorings.

Mrs. Johnston commented on putting in funds to re-do the harbor management plan.

**MOTION (3): Mr. Mountzoures moved to accept the Treasurer's report as presented.**

**Seconded by Mr. Murin.**

**Motion carried 6-0-0.**

## **D. Ex-Officio**

Mr. Birmingham said that he would mention the issue of mooring permits at the Board of Selectman's meeting taking place the following evening January 20. It was agreed that this would be a good form of public notification because the meetings are televised. He would also mention to contact the Harbor Master if there were any questions.

Mr. Birmingham also mentioned the proposed formation of an Agricultural Commission, to be discussed at the Board of Selectman's Meeting. There was discussion as to the connection of this Proposed Commission with the Harbor Management Commission regarding the clam beds.

## **7. Comments from other Commission Members**

It was suggested that a letter of support for formation of an Agricultural Commission be submitted by the Harbor Management Commission. Mr. Dinsmore distributed copies of a letter of support that he had written and asked for discussion.

Mrs. Johnston and Mr. Mountzoures both stated that they felt the Agriculture proposal should be for a Committee not a Commission.

**MOTION (4): Mr. Dinsmore moved to approve submitting a letter of support for the formation of an Agricultural Commission.**

**Seconded by Mr. Murin.**

**Motion carried 4-2-0.**

**Mrs. Johnston opposed.**

**Mr. Mountzoures opposed.**

Mr. Landers stated that he was unable to attend the Board of Selectman's Meeting and asked Mr. Dinsmore to submit the letter on his behalf.

Mr. Landers asked for comment and interest regarding the combined effort of Harbor Management and EDC to sponsor a youth sailing event. There were questions regarding what was required and how it would be organized.

Mr. Hitchery mentioned that Boats Inc. was planning to dispose of some of there old docks. He suggested this might be an opportunity for the town to use them for abandoned boats and moorings. It was decided that this would be beneficial if the docks were in good condition, and to research this further.

Mrs. Johnston inquired about an abandoned sailboat on Crescent Beach. Mr. Landers informed her that the owner of the boat was consulting with the residents of this location and was in the process of having a dumpster delivered to begin disposing of the boat.

## **Adjournment**

**MOTION (8): Mr. Schutt moved to adjourn the January 19, 2010, meeting of the Harbor Management Commission, at 9:05 PM.**

**Seconded by Mr. Murin.**

**Motion carried 6-0-0.**

Respectfully Submitted,

Zoe Zrakas, Recording Secretary