



# Harbor Management Commission

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**Regular Meeting Minutes  
Thursday, March 23, 2023, 7:00 p.m.  
Town Hall Meeting Room A**

## **1. Call to Order**

Chairman Terry Stewart called the regularly scheduled meeting of the Essex Harbor Management Commission to order at 7:00 p.m.

## **2. Attendance**

**Members Present:** Jeff Going, Bill Herlihy, Kit Schellens, Terry Stewart

**Absent:** Dave Fasulo, Susan Malan, John Senning, Brian Weinstein

**Others Present:** Paul Riggio, Harbor Master, Rachel Smith, Safe Harbor

Bill Herlihy was seated for Susan Malan.

## **3. Approval of the February 2023 Meeting Minutes**

The February 23, 2023 regular meeting minutes were reviewed.

**MOTION** made by Jeff Going to approve the February 23, 2023 regular meeting minutes.

**SECONDED:** Kit Schellens; **Voting in Favor:** Jeff Going, Bill Herlihy, Kit Schellens, **Opposed:** None; **Abstaining:** None; **Approved:** 3/0/0. **Discussion:** No further discussion.

## **4. Public Comment: None.**

## **5. Financial Report**

Bill Herlihy presented the March 2023 financial report for the Liberty Checking, Public Access, and General bank accounts, with a total funds closing balance as of March 23, 2023 of \$54,542.15.

**MOTION** made by Jeff Going to approve the March 2023 financial report as presented.

**SECONDED:** Kit Schellens; **Voting in Favor:** Jeff Going, Kit Schellens, Terry Stewart, **Opposed:** None; **Abstaining:** Bill Herlihy, **Approved:** 3/0/1. **Discussion:** No further discussion.

Bill presented one invoice for approval for EHMC administrative support in the amount of \$243.95.

**MOTION** made by Jeff Going to approve the invoice presented for EHMC administrative support.

**SECONDED:** Kit Schellens; **Voting in Favor:** Jeff Going, Bill Herlihy, Kit Schellens, **Opposed:** None; **Abstaining:** None; **Approved:** 3/0/0. **Discussion:** No further discussion.

## 6. Harbor Master Report

The mooring permit refund policy voted on at the last meeting was discussed. Paul suggested that instead of requiring a decision not to renew and request a refund to be made prior to the installation of the mooring, that it be changed to March 1<sup>st</sup> so as to allow enough time for adjustments to be made in the harbor layout.

Paul shared John Senning's suggested Motion to Amend Essex Harbor Mooring Permit Cancellation and Fee Refund Policy.

**MOTION** made by Jeff Going to amend the Essex Harbor Management Commission's Mooring Permit Cancellation and Fee Refund Policy, which was adopted at the Commission's February 23, 2023 meeting, to provide that Mooring Permits may be requested to be canceled and a refund of the paid fee provided, so long as written notice of intent to cancel together with a request for refund is received by the Commission before March 1 of the year to which the Mooring Permit would have pertained. **SECONDED:** Bill Herlihy; **Voting in Favor:** Jeff Going, Bill Herlihy, Kit Schellens, **Opposed:** None; **Abstaining:** None; **Approved:** 3/0/0. **Discussion:** No further discussion.

It was suggested that this policy be documented by adding it to the Private Mooring Permit Policies as follows. "The EHMC policy regarding cancellation of Mooring Permits and Refunds is as follows: Mooring Permits may be canceled by the Permittee and a refund requested if a written request for cancellation and refund of the Permit Fee is received via email by the Essex Harbor Master by March 1 of this year. No Exceptions." This will be added as the new paragraph 11 and the remaining paragraphs renumbered accordingly.

Rachel Smith reported that the harbor marks washed up really well and there is no need to paint them. This will reduce the cost of the estimate for buoy and marker repairs approved at the last meeting. They are waiting for a couple of extra reflector strips for the Meadows markers. Otherwise, everything should be ready to go in by the beginning of next week.

The permit and wait list renewal process was discussed. Overall, the Online Mooring process is working well. There have been a handful of instances where renewals have been submitted without payment which have been resolved by making contact with the applicants to help them through the process. A review of the templates was suggested to be sure the instructions are as clear as can be. Bob Ward has been working on streamlining the permit application process. He talked to a few people who he gave his slide deck to in order to walk them through the application process. The three people he questioned were not enthusiastic about it and suggested a video would be much better. Bob is going to take a look at doing this. No modifications to the website are needed at this time.

Paul shared a letter he has prepared To Whom It Might Concern to be used as needed in support of the removal of the rock pile hazard.

Paul also shared a draft letter prepared by John Senning regarding the 54 Main Street property for the Commission's review. John's letter recognizes the work the Land Use Department has done regarding this property and suggests that the history of what is going on needs to be put on the deed and recorded properly.

Under the building code, a building classified as historic does not have to comply with every FEMA regulation. The question is whether a building that was classified as historic initially is classified as historic any more in light of changes made to it. Paul is working on this issue with Jenny Scofield at the State Historic Preservation Office.

Carey Duques from the Essex Land Use Department shared a letter with Terry from Jenny at the State stating that this property is classified as historic because of its original structure and is considered to be an important historic asset that contributes to the character of the coastline. More research is needed to determine if this property is still classified as historic in light of the changes made to it. John's letter may need to be revised based on what we learn.

One new mooring permit wait list application was submitted by Taylor Somma, Main, on March 10, 2023.

The wait list renewal period for Bushnell Access began on March 11th and ends on March 25th.

## **7. Harbor Management Business**

No progress has been made on the rock pile removal. It has been over 18 months since this project was initiated. Cori Rose, the latest analyst assigned to the project, has been transferred out of Corps and is now with Natural Fisheries. Jeff has been told that she has taken this project with her.

As far as the beneficial restoration for Thatchbed, it has been determined that if Corps will not be doing the dredging, a feasibility study is not needed and what we have already done for our application qualifies as an excellent feasibility study. No decision has been made.

Jeff also noted that we have sample fabric which has been okayed with the Land Trust. He will stake out the sample fabric and seed it in the Spring.

Bill Herlihy noted that the dredging project came up at the Essex Yacht Club. David Guernsey, House Chairman, expressed concerns about the fabric and the tubes. Bill will talk with him and suggest he talk with Jeff about his concerns.

## **8. Town Public Access Points**

Kit Schellens learned from Ryan Welch that the catch basin is in at Collins Lane. They are waiting for the asphalt plant to open so they can put the curb in. The Town would like to put a bench there and install a slab for it to be placed on. Commission members were in agreement with this. There are some overgrown trees/bushes that need to be addressed. Whatever is done should be low plantings.

Terry reported on behalf of Brian Weinstein that Little Point Street has been cleaned up and looks good.

He also noted on behalf of Susan Malan that there is a continuing issue with CRM visitor buses parking at and around the Foot of Main. This is a concern because the buses could impede emergency access to the ramp. Resident Trouper Roberts is aware of this and is talking with the

Museum to address the problem. Susan has been taking pictures of the situation and sending them to Trooper Roberts.

The Kayak Auction was very successful. All five vessels received bids. The winning bids totaled \$722.01. We have received checks in the amount of \$667.00 and are waiting for a check in the amount of \$55.01.

Bob Ward has suggested the storage racks at Bushnell Access be reconfigured by making them longer and going from three racks to two to make it easier for people to insert their vessels. Bob is working on this and will get back to the Commission with an update.

## **9. Harbor Management Plan Update**

Terry reported that we have received feedback from Marcy Balint from DEEP regarding the plan we submitted in December. She has questions regarding what was dropped from the old plan compared to our new draft plan. A conference call will be scheduled with Marcy, Jeff, Paul, Terry and John Guzskowski to discuss.

## **10. Correspondence: None.**

## **11. New Business**

A Hydrilla Study Team representative will provide an update at our April 27<sup>th</sup> meeting. Depending on the length of the update, the Commission may hold a Special Meeting instead.

## **12. Adjournment**

**MOTION** made by Jeff Going to adjourn the meeting at 7:29 p.m. **SECONDED:** Kit Schellens; **Voting in Favor:** Jeff Going, Bill Herlihy, Kit Schellens, **Opposed:** None; **Abstaining:** None; **Approved:** 3/0/0. **Discussion:** No further discussion.

Respectfully Submitted,

Betsy McLaughlin  
Recording Clerk