

Harbor Management Commission



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Regular Meeting Minutes Thursday, January 25, 2024, 7:00 p.m. Town Hall Meeting Room A

1. Call to Order

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, Susan Malan, John Senning, Terry Stewart

Others Present: Henry Domenie, Safe Harbor, Remote, Paul Riggio, Harbor Master, Rachel Smith, Safe Harbor, Remote

Absent: Dave Fasulo, Kit Schellens, Brian Weinstein

Bill Herlihy was seated for Kit Schellens.

3. Election of Officers

Bill Herlihy is willing to stay on as Vice Chair and Treasurer, and Terry Stewart is available to serve as Chair again.

MOTION made by Jeff Going to elect Bill Herlihy as Vice Chair and Treasurer and Terry Stewart as Chair for the next year. **SECONDED:** Susan Malan; **Voting in Favor:** Jeff Going, Susan Malan, John Senning, **Opposed:** None; **Abstaining:** Bill Herlihy; **Approved:** 3/0/1. **Discussion:** No further discussion.

4. Approval of the December 2023 Meeting Minutes

The December 21, 2023 regular meeting minutes were reviewed.

MOTION made by Jeff Going to approve the December 21, 2023 regular meeting minutes. **SECONDED:** Bill Herlihy, **Voting in Favor:** Jeff Going, Bill Herlihy, Susan Malan, John Senning, **Opposed:** None; **Abstaining:** None; **Approved:** 4/0/0. **Discussion:** No further discussion.

5. Public Comment: None.

Terry proposed that the topic of having a high school intern help us with a harbor mark project moved on the agenda from New Business to the Harbor Master Report. All were in favor.

6. Financial Report

Bill Herlihy presented the December 2023 financial report for the Liberty Checking, Public Access, and General bank accounts, with a total funds closing balance as of December 21, 2023 of \$45,409.93.

MOTION made by Jeff Going to approve the December 2023 financial report as presented. **SECONDED:** Susan Malan, **Voting in Favor:** Jeff Going, Susan Malan, John Senning, **Opposed:** None; **Abstaining:** Bill Herlihy, **Approved: 3/0/1. Discussion:** No further discussion.

Bill presented an invoice for EHMC administrative support in the amount of \$1,088.10. He also presented an invoice from Safe Harbor for pulling Marks A-J and the marks in the Meadows in the amount of \$2,142.25. An invoice was also received from Coastline Consulting & Development, LLC in the amount of \$9,863.44 for the harbor dredging soil analysis. This work was authorized by the Commission at the October 2023 meeting, and the invoice aligns with the estimate that was discussed. The cost of the soil analysis was discussed. John Senning wondered if there is some other way to solicit competing bids as this seems outrageous and thinks if there is a way we can take a closer look at this, we should. Jeff said this was on the low side and Paul noted that this type of work is very expensive.

MOTION made by Jeff Going to approve the invoices presented. **SECONDED:** Bill Herlihy, **Voting in Favor:** Jeff Going, Bill Herlihy, **Opposed:** None; **Abstaining:** Susan Malan, John Senning; **Approved: 2/0/2. Discussion:** No further discussion.

John Senning reminded everyone that the Commission had decided at a prior meeting to refund people on the Mack Lane wait list for fees paid since we are no longer issuing permits there. Bill Herlihy will follow up on this.

7. Harbor Master Report

Paul Riggio raised the possibility of having high school student Shep Whitney assist with the project that he and Dave Fasulo have been discussing of exporting data from Online Mooring to an Excel spreadsheet for purposes of the harbor layout. Shep is a Junior at Valley Regional High School and would be assisting the Commission as part of his Capstone Project. Paul has asked if the Commission would support this. This was thought to be a great asset for us especially on the technology side, and everyone was in favor of it.

It was reported that there are 76 approved mooring permits for the 2024 season.

The mooring permit wait list renewal period has concluded. There are a total of 13 people on the wait list. Eight are in the Main, one in the Meadows, two in Middle Cove, one in North Cove and one in South Cove.

2024 Sabbaticals:

- David Pittsinger, 1-year mooring permit sabbatical
- Robert Rosenberg, 1-year wait list sabbatical.

New wait list applicants since the last meeting:

- 1/3/24: Richard Rossi, Middle Cove
- 1/8/24: Jordan Schweidenback, North Cove

Commercial Renewals were due on January 15th. To date, we have received renewals from everyone except the Essex Yacht Club and the check from Frostbite.

The Bushnell Access Small Vessel Renewal period is scheduled to run from February 1 thru February 15.

The 2024 Sabbatical and Mooring Permit Lists and an updated Mooring Permit Wait List have been posted, filed, and shared with Commission members.

Paul noted that there was a member of the Essex Yacht Club who wanted to put a catamaran in the back 40 on the angle of the bulkhead. Paul did some measurements and determined that it would not fit. According to the Essex Yacht Club and Harbor Management Plan, there needs to be 15' of birthing off the bulkhead. When the Essex Yacht Club was told that the boat wouldn't fit, they said they might be interested in a catamaran mooring. Paul advised that these moorings are being offered to organizations we feel might use them, but if they are offered and not taken, they will lose them. Paul has also had a conversation with John Lewis at Essex Boat Works and will talk with Safe Haror as well about their interest in a catamaran mooring, recognizing that everyone's needs and conditions are different.

John Senning shared his findings as to how Stonington Harbor is handling this. He spoke with the Harbor Master and learned that they have no discreet policy about dealing with multihull vessels. They do have four or so fairly large multihull boats, and the Harbor Master tends to put them on the outer edge of the mooring field toward the open anchorage area. He uses the 1.5 rule of thumb for placement, meaning the space needs to be 1 ½ times the space allowed for a monohull vessel but noted that each harbor's situation is different. Pricing was not discussed, and John will check on that. Paul is looking into how Block Island is handling this as well, noting that all of the harbors have different conditions.

In general, the Commission is not opposed to allowing multihull vessels. If a request is received for one, we will try to find a way to make it fit and charge twice the maximum mooring permit fee.

MOTION made by John Senning that for multihull boats under 50 feet the fee will be twice the fee for the maximum size monohull vessel and the Harbor Master will have discretion to apply that, and this does not include vessels over 50 feet. **SECONDED:** Susan Malan; **Voting in Favor:** Jeff Going, Bill Herlihy, Susan Malan, John Senning, **Opposed:** None; **Abstaining:** None; **Approved:** 4/0/0. **Discussion:** No further discussion.

Paul and Rachel Smith did the harbor mark inspections, and Rachel has prepared an estimate for harbor mark repairs in the amount of \$3,063.04. The estimate was reviewed and Jeff questioned whether a 500 lb. anchor was needed for the “K “mark. Paul will check with Rachel on this and the estimate will be adjusted if only a 400 lb. anchor is needed.

Jeff Going shared a quote from Gilman in the amount of \$2,455.00 for a new mark off the north side of Essex Island.

MOTION made by Jeff Going to approve the estimate for services from Safe Harbor with an adjustment if needed. **SECONDED:** Susan Malan, **Voting in Favor:** Jeff Going, Bill Herlihy, Susan Malan, John Senning, **Opposed:** None; **Abstaining:** None; **Approved:** 4/0/0. **Discussion:** No further discussion.

MOTION made by Jeff Going to approve the quote from Gilman as presented. **SECONDED:** Bill Herlihy, **Voting in Favor:** Jeff Going, Bill Herlihy, Susan Malan, John Senning, **Opposed:** None; **Abstaining:** None; **Approved:** 4/0/0. **Discussion:** No further discussion.

8. Harbor Management Business

Kit Schellens was not present at the meeting but hopes to have a quote to share at the next meeting for improvements to the Mack Lane and Town Park docks.

The COP application received from Coastline Consulting & Development, LLC at the last meeting on behalf of the owner of 17 Mack Lane, Essex, for modification of the existing docks at that location was reviewed and discussed. This application is for our information only and DEEP is not requiring a Harbor Management Plan compliance finding on our part. However, the application is clearly for more than maintenance. Terry noted the other concern is that the Harbor Management Plan only allows for one dock per property and this property has three. Although it is grandfathered, they are expanding the footprint of the property. Terry suggested that a letter be written to DEEP expressing the Commission’s concern that this is an expansion and not just maintenance and exceeds the Harbor Management Plan in terms of expanding three docks on a property.

John Senning will work with Paul to prepare a draft letter to DEEP expressing the Commission’s concerns with the application. This will be circulated for the Commission members to review before the next meeting and it was suggested that the Chair notify DEEP that this letter will be forthcoming.

MOTION made by Susan Malan to direct the Chair to notify DEEP that the Commission will be sending a letter of concern with the COP application regarding 17 Mack Lane. **SECONDED:** John Senning, **Voting in Favor:** Jeff Going, Bill Herlihy, Susan Malan, John Senning, **Opposed:** None; **Abstaining:** None; **Approved:** 4/0/0. **Discussion:** No further discussion.

The 2024 meeting schedule was reviewed and discussed. The schedule was changed to accommodate the fact that both Terry and Brian Weinstein have conflicts with the November and

December meeting dates due to the Board of Finance meeting dates. It was suggested that the meeting time be changed from 7:00 p.m. to 6:30 p.m. beginning with the February 2024 meeting.

MOTION made by Susan Malan to approve the 2024 meeting schedule with the changes discussed. **SECONDED:** John Senning, **Voting in Favor:** Jeff Going, Bill Herlihy, Susan Malan, John Senning, **Opposed:** None; **Abstaining:** None; **Approved:** 4/0/0. **Discussion:** No further discussion.

9. Town Public Access Points

Terry noted that John Senning is taking over the responsibility for oversight of Little Point Street from Brian Weinstein.

The expansion of the small vessel storage rack space was discussed. The planned expansion will allow for 14 additional spaces for a total of 90 spaces. Appreciation was expressed for the initiative and tremendous work that Bob Ward and Ryan Welch have done on this project.

Susan Malan noted that there was a lot of debris on the grass at Scholes Lane and the Town Park as a result of the recent flooding, and that some logs need to be removed in order to put the docks in.

10. Harbor Management Plan Update

Marcy Balint at DEEP has acknowledged receipt of the latest version of our Harbor Management Plan but hasn't had time to look at it yet. Hopefully, we are at the stage where she will be sending the plan out for approval. We have incorporated everything that she has asked for that we agreed with and provided explanations for the things we have not.

11. Correspondence: None.

12. New Business

Jeff made the Commission aware of the kayak lift he saw at the Boat Show and anticipates that this is something people may want to add to their docks. In anticipation of people asking about this, the question was raised as to whether DEEP should be contacted to see if they have a policy about this or if there would be a requirement for a permit for these lifts. It was thought to be good to be aware of this and decided to address if and when needed.

Paul and John are working on a template for the Commission to be used as a response to property owner applications that come before us.

Paul noted that the Essex Yacht Club is taking out the circle on the south side of the property to make that area into lawn. The project was discussed and is not viewed to be a problem. The application should have come before the Gateway Commission and Harbor Management Commission prior to going before the Planning & Zoning Commission, but it has not and the hearing before Planning & Zoning is on February 6, 2024.

MOTION made by John Senning that a letter be sent to the appropriate personnel at Planning & Zoning that the Commission is aware of the application and has no objection to it, and the letter is authorized to be signed by the Chair. **SECONDED:** Susan Malan; **Voting in Favor:** Jeff Going, Bill Herlihy, Susan Malan, John Senning, **Opposed:** None; **Abstaining:** None; **Approved: 4/0/0.** **Discussion:** No further discussion.

13. Adjournment

MOTION made by Jeff Going to adjourn the meeting at 8:02 p.m. **SECONDED:** Susan Malan; **Voting in Favor:** Jeff Going, Bill Herlihy, Susan Malan, John Senning, **Opposed:** None; **Abstaining:** None; **Approved: 4/0/0.** **Discussion:** No further discussion.

Respectfully Submitted,

Betsy McLaughlin
Recording Clerk