



# Harbor Management Commission

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**Regular Meeting Minutes**  
**Thursday, February 22, 2024, 6:30 p.m.**  
**Town Hall Meeting Room A**

## **1. Call to Order**

Bill Herlihy called the regularly scheduled meeting of the Essex Harbor Management Commission to order at 6:34 p.m.

## **2. Attendance**

**Members Present:** Jeff Going, Bill Herlihy, Susan Malan, Kit Schellens, John Senning

**Others Present:** Henry Domenie, Safe Harbor, Dave Fasulo, Deputy Harbor Master, Paul Riggio, Harbor Master

**Guest:** David R. Provencher, AIA, President & Project Architect, Shore Design PLLC

**Absent:** Terry Stewart, Brian Weinstein

Bill Herlihy was seated for Terry Stewart.

## **3. Approval of the January 2024 Meeting Minutes**

The January 25, 2024 regular meeting minutes were reviewed.

**MOTION** made by Jeff Going to approve the January 25, 2024 regular meeting minutes.

**SECONDED:** Susan Malan, **Voting in Favor:** Jeff Going, Susan Malan, Kit Schellens, John Senning, **Opposed:** None; **Abstaining:** None; **Approved:** 4/0/0. **Discussion:** No further discussion.

## **4. Public Comment**

Mr. Provencher attended the meeting to describe the project for a residential dock at 38 Foxboro Road in Essex that they are preparing a CT-DEEP permit application for. He described the location of the project and shared photos of the site. He noted that this location was chosen because it has the least amount of encroachment in State jurisdiction. Commission members asked questions and raised concerns largely due to the fact that the location for the proposed project is in an environmentally sensitive area and goes against the plan for preservation of tidal wetlands and habitat. Paul shared sections of the Harbor Management Plan that demonstrate how this project is inconsistent with the Plan.

## 5. Financial Report

Bill Herlihy presented the January 2024 financial report for the Liberty Checking, Public Access, and General bank accounts, with a total funds closing balance as of January 31, 2024 of \$48,801.71.

**MOTION** made by John Senning to approve the January 2024 financial report as presented. **SECONDED:** Jeff Going, **Voting in Favor:** Jeff Going, Susan Malan, Kit Schellens, John Senning, **Opposed:** None; **Abstaining:** None, **Approved:** 4/0/0. **Discussion:** No further discussion.

Bill presented two invoices from OnLine Mooring in the amounts of \$2.04 and \$178.15 for a total of \$180.19. He also presented an invoice for EHMC administrative support in the amount of \$404.23.

**MOTION** made by Jeff Going to approve the invoices presented. **SECONDED:** Susan Malan, **Voting in Favor:** Jeff Going, Susan Malan, Kit Schellens, John Senning, **Opposed:** None; **Abstaining:** None, **Approved:** 4/0/0. **Discussion:** No further discussion.

## 6. Harbor Master Report

Wait List applicant Gus Bentivegna has been offered a mooring permit in Middle Cove.

All commercial renewal paperwork and checks have been received.

The Bushnell Access renewal period has ended. Sixty-six of 79 people have renewed and 13 did not.

The first 24 people on the wait list have been offered a small vessel permit with a deadline of March 4th.

This should bring us to 90 permits and 17 people (down from 41) on the wait list.

The small vessel wait list renewal period will begin on March 11th and end on March 25th.

Permit stickers will be assigned and mailed by April 1st.

Mooring permit fees as approved at the last meeting related to catamarans have been updated and posted to the website. The new permit fee schedule states that "Multihull exceeding 41 feet is \$240.00." The question of whether there is a minimum length for catamarans was discussed. It was clarified that this it is not a footage issue and applies to any catamaran. The fee schedule will be updated accordingly.

Henry Domenie reached out to some of Safe Harbor's Rhode Island and Long Island properties as to how they are handling catamarans and they didn't really have any parameters. Once again, it was noted that the conditions of every harbor are different and Essex, in particular, is unique.

Betsy & Paul had a ZOOM meeting with Brad Hurley from OnLine Mooring on February 20, 2024 to discuss the harbor layout project potentially identified as a possible Capstone project for Shep Whitney. Online Mooring can easily create a new field on the mooring permit applications for a mooring designation and will input this data for us at no cost. In light of that, this does not warrant something for the Capstone project. Paul and Dave Fasulo will see if they can find another possible project for Shep. One possibility might be GPS mapping of the mooring locations which could help with emergency response services and the safety of the harbor.

Putting the commercial mooring renewals online was discussed. The cost would be \$7.00 per mooring. In the case of entities with more than one mooring, this could be cumbersome, as in the case of Safe Harbor with 40 moorings. Brad will see if this process could be streamlined somehow.

Brad was asked about the experience of other harbors with regard to catamarans. Brad offered to pose a question to the Online Mooring network of harbors about this if we choose to do so.

## **7. Harbor Management Business**

We are waiting to hear back from Connecticut River Dock & Dredge with regard to improvements to the Mack Lane and Town Park docks.

Bill Herlihy submitted a letter to DEEP that John Senning helped to prepare expressing the Commission's concerns with the application for modification of the existing docks at 17 Mack Lane, Essex. Bill and Paul Riggio met with DEEP on Friday, February 9<sup>th</sup> to discuss the Commission's concerns. Bill shared the response that was received after that meeting which states that they are moving forward with issuing the COP for 17 Mack Lane. They have added two special conditions to the license; one to state that no motorized vessel will be berthed on the middle float, and another to state that only a single kayak launch may be installed on the pier. Also, the condition from their previous authorizations that the structures cannot extend more than 28' from the face of the bulkhead will be carried over to this authorization. Paul Riggio has responded to that letter and will be watching the situation closely.

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

John Senning provided an update on Little Point Street. The nice bench is still there and he has no idea how someone could access this without interfering with some of the other property owners.

Bill Herlihy said all is well at Novelty Lane.

No other updates.

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

We are still waiting to hear back from Marcy Balint at DEEP regarding the latest version of the Harbor Management Plan that has been submitted.

The discussion at this point went back to the 38 Foxboro Road, Essex proposed dock project and the form that was included to be completed by the Harbor Management Commission. They still

need to come back to the Commission with the COP application, but we have to respond to the pre-submission. John Senning suggested that he work with Paul to draft a response before the next Commission meeting for the Commission's review. The response needs to be submitted within the 60-day deadline from the date it was received on February 6, 2024, which would be April 5, 2024.

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**10. Correspondence: None.**

**11. New Business**

Paul has received two referrals from the Zoning Board of Appeals. One is a variance application for a side yard setback and the construction of a dormer on an existing roof at 17 Riverview Street. Paul does not see any concerns with this. The other is for a pool project at 10 Collins Lane. More information is needed on this project.

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**MOTION** made by John Senning that the Commission request further information on the 10 Collins Lane project and that this application is on hold until proper information is received to review the scope of work. **SECONDED:** Jeff Going, **Voting in Favor:** Jeff Going, Susan Malan, Kit Schellens, John Senning, **Opposed:** None; **Abstaining:** None; **Approved:** 4/0/0. **Discussion:** No further discussion.

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Susan suggested that the meeting time be changed from 6:30 p.m. to 6:00 p.m. beginning with the March 2024 meeting. Members were in agreement with this.

**MOTION** made by Susan Malan to change the meeting time from 6:30 p.m. to 6:00 p.m. beginning with the March 2024 meeting. **SECONDED:** John Senning, **Voting in Favor:** Susan Malan, John Senning, **Opposed:** Jeff Going, Kit Schellens, **Abstaining:** None; **Not Approved:** 2/2/0. **Discussion:** No further discussion.

**12. Adjournment**

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**MOTION** made by Jeff Going to adjourn the meeting at 7:35 p.m. **SECONDED:** Kit Schellens, **Voting in Favor:** Jeff Going, Susan Malan, Kit Schellens, John Senning, **Opposed:** None; **Abstaining:** None; **Approved:** 4/0/0. **Discussion:** No further discussion.

Respectfully Submitted,

Betsy McLaughlin  
Recording Clerk