

ESSEX HARBOR MANAGEMENT COMMISSION



**Town of Essex
29 West Avenue
Essex, CT 06426**

**Regular Meeting
Thursday, January 26, 2017
Meeting Room A**

1. Call to Order

Vice Chairman Joe Zaraschi called the regularly scheduled meeting of the Essex Harbor Management Commission to order at 7:40 p.m.

2. Attendance

Members Present

- Earl Fowler, Alternate
- Jeff Going, Chairman
- John Senning
- Terry Stewart, Treasurer
- Joe Zaraschi, Vice Chairman

Earl Fowler was seated for Jeff Going.

Ex Officio Members Present

- Paul Riggio, Harbor Master

Others Present

- Cy Libby, Brewer Dauntless Shipyard & Marina

3. Approval of December Regular Meeting Minutes

The December 15, 2016 regular meeting minutes were reviewed.

Motion: Terry Stewart moved to approve the December 15, 2016 regular meeting minutes. John Senning seconded the motion. Those in favor: Earl Fowler, John Senning, and Terry Stewart; 3-0-0 motion unanimously approved.

4. Public Comment

Cy Libby noted that he has provided the Commission with a quote for maintenance and inspection of the harbor marks and pricing to repair the float.

5. Financial Report

Terry Stewart presented the January 26, 2017 Treasurer's report. He noted that 60% of our money goes to harbor management costs, 30% to administrative expense, and 10% to permit renewal supplies and mailings, and that the month of November has been our biggest source of revenue.

Motion: John Senning moved to approve the January 26, 2017 Treasurer's report. Earl Fowler seconded the motion. Those in favor: Earl Fowler and John Senning, Terry Stewart abstained; 2-0-1 motion approved.

Two invoices were presented for approval:

- Betsy McLaughlin, Clerk - \$307.97 for January Clerk Services;
- Dzialo, Pickett & Allen, P.C. - \$758.50 re 36 Mack Lane.

The Mack Lane invoice was questioned and it was thought not to be our responsibility. Terry Stewart will follow up on this and report back at the next meeting.

Motion: John Senning moved to approve the invoice for Clerk services as presented. Terry Stewart seconded the motion. Those in favor: Earl Fowler, John Senning, and Terry Stewart; 3-0-0 motion unanimously approved.

Terry noted that the invoice for Clerk Services reflects a step increase effective January 1, 2017.

Chairman Jeff Going arrived at 7:48 p.m. at which point the meeting was turned over to him by Vice Chairman Joe Zaraschi. Earl Fowler was unseated for Jeff Going and reseated for Walter Wiegert.

Jeff stated that the invoice in question above has been taken care of and paid by the Town.

6. Harbor Master Report

- **New Wait List Requests**
 - David Wemett, Meadows, check dated 12/22/16

Commercial and wait list renewals were sent out on January 15, 2017 with a response deadline of February 15, 2017. Paul reviewed the new language in the commercial renewal letters that were sent. The language is intended to make sure there is no confusion about the proper use of the support moorings since some of them have been used improperly as rental moorings in the past. The permit renewal paperwork now requires a signature agreeing to the terms outlined in the letter.

Paul also noted that he, Jeff, and Cy Libby met at the beginning of the new year regarding the harbor layout and it is complete.

Given the changes that Essex Boat Works wants to make to their facility, Paul raised the question as to whether they could come back and ask to change their support moorings to rental moorings. This question and past practice related to the issue were discussed. It was suggested that our policy be reviewed, to make sure we are not breaking the rules, and that everyone is treated fairly.

7. Harbor Management Business

- **Capital Projects**

None.

- **Oil Spill**

Jeff Going related the sequence of events related to the oil spill that occurred in December and the cause of same. Recommended action on the part of the Harbor Management Commission was discussed. The Town is required by DEP to maintain the storm drains three times a year. It was suggested that the basins of primary concern to the harbor be identified, including Bushnell Access because that is part of our jurisdiction, and that the Town be asked to report to the Harbor Management Commission when they are maintained. Jeff Going will draft a letter to First Selectman Needleman about this.

- **Town Access Ways**

Joe Zaraschi and Kit Schellens are still planning to review the access ways and put together a bullet list of what needs to be done.

- **Town Dock Maintenance**

As noted at prior meetings, the Town dock is in need of repair and a vendor to make the repairs is needed. Paul Riggio has contacted Strick Hyde for guidance and will follow up on this.

8. Correspondence

Jeff noted that he spoke with Susan Jacobson, Senior Environmental Analyst at DEEP, about the Commission's concern with Mr. Picard's COP application for a dock retention project at 175 Saybrook Road because the docks he is trying to replicate were never permitted. Although our approval is not required for a COP, it was suggested that we write a letter to DEEP confirming the verbal advise of Chairman Jeff Going that it should be denied and giving the basis for same.

Motion: John Senning moved that a letter be written to DEEP confirming the verbal advice of Chairman Jeff Going that the COP should be denied and to give the basis for its inappropriateness, including the fact that it pertains to a non-previously permitted structure and any other condition that may exist that would negate the issuance of a COP. Joe Zaraschi seconded the motion. Those in favor: Earl Fowler, John Senning, Terry Stewart, and Joe Zaraschi; 4-0-0 motion unanimously approved.

A quote was received from Brewer Dauntless Shipyard and Marina for repair of the Town Park float in Middle Cove in the amount of \$2,308.75 plus tax if applicable.

An inspection report was also received from Brewer Dauntless Shipyard and Marina on the condition of harbor buoys and floatation with recommended repairs to same in the amount of \$715.06. This does not include new anchors.

Motion: John Senning moved that these items be approved and paid. Terry Stewart seconded the motion.

Discussion: The question was raised as to whether the float was worth repairing or should be replaced. Cy Libby will look into pricing for replacement, and John Senning withdrew his motion above.

Motion: John Senning moved to authorize the repairs to the harbor marks and to table the Town park float repair until we can get an estimate for its replacement. Terry Stewart seconded the motion. Those in favor: Earl Fowler, John Senning, Terry Stewart, and Joe Zaraschi; 4-0-0 motion unanimously approved.

Motion: John Senning moved to authorize the purchase of two Dor-Mor anchors with shackles for approximately \$1,000 for each. Terry Stewart seconded the motion. Those in favor: Earl Fowler, John Senning, Terry Stewart, and Joe Zaraschi; 4-0-0 motion unanimously approved.

9. New Business

Paul was approached by the Essex Yacht Club because they want to grow their sailing program and don't have enough room for Ideal 18 boat storage. The question is whether they could put floating docks affixed to a mooring that would swing in the river that they could put the boats on with the condition that they be cleared if there is a storm. This is against the Harbor Management Plan and would require a total change to the Plan. Essex Yacht Club would need to present a detailed proposal about this to the Harbor Management Commission for consideration.

- **New Federal Anchorage Area/Proposed Change in Regulation**

A chain of emails has been received from Timothy Delgado, Boating Division of DEEP, regarding a proposed change in regulation to the new federal anchorage area. At the request of the Old Saybrook Harbor Management Commission in consideration of the new federal anchorage area, DEEP is preparing to propose a change in regulation to extend the Slow-No-Wake zone near Calves Island from red nun #20 to green can #23 by about 800 yards. This is estimated to add slightly less than five minutes of transit time for a person passing through the area at five miles per hour who would otherwise be going at the maximum speed limit allowed by law of 45 miles per hour. DEEP is trying to determine if this action would have an adverse impact on local small business and has asked for input from some of the local marinas. Doug Domenie has gone on record on behalf of Brewer Dauntless Shipyard and Marina vigorously opposing this and has asked that DEEP broaden their request for input before proceeding further.

The proposal and its impact were discussed. Joe Zaraschi shared his research on the area that would be impacted by this proposed change and noted that Essex is not mentioned in the Connecticut River regulation Sec. 15-121-B15 related to this area. This was thought to be an error on their website because it has been included in the past and should be brought to their attention. Joe will send Jeff Going the link to this regulation.

Motion: John Senning moved to approve that an appropriate letter of response be directed to Timothy Delgado, DEEP, expressing our opposition to the proposal. Joe Zaraschi seconded the motion.

The proposed change was discussed at length, and the question was raised as to whether our opposition to this might affect our ability to make changes we might want to make in the future. It was thought not.

Those in favor: Earl Fowler, John Senning, Terry Stewart, and Joe Zaraschi; 4-0-0 motion unanimously approved.

- **Small Vessel Storage Renewal Process**

Registrations are due to go out on March 1, 2017 to 2016 permit holders and wait list applicants. The process was discussed and the renewal paperwork needs revision.

- **Thatchbed Island Preservation**

Jeff Going contacted Susan Jacobson about the rockpile removal project and suggested the idea of taking the rocks from our rock piles and using them as riprap at Thatchbed Island to hold it in place. Susan said that she thought it was a good idea and that is really fits under the living shoreline initiative. She then sent an email to all of the DEEP analysts saying that we had come up with this great idea for a restoration project and inquired about grant possibilities.

Susan told Jeff that Keith Neilson, Docko, Inc., has a client in Hamburg Cove engaged in a permit application process for some proposed dredging, and Keith had asked about the possibility of depositing those spoils on Thatchbed Island. Jeff spoke with Keith about the idea of using those dredging spoils as backfill to the riprap. If we were to move this forward as a Thatchbed Island Restoration/Reclamation Project, it could potentially become a spot for other people such as ourselves, Middle Cove property owners, marinas, etc., to make clean appropriate deposits.

Susan has stated that she will help in any way that she can on this restoration project but can only provide regulatory/permitting guidance and that someone would need to take the lead on it.

Jeff has talked with First Selectman Norm Needleman about the proposed project and asked him about grant writing assistance. Norm said the Town would be in favor of the project and could provide grant writing assistance. Connecticut Institute for Resilience and Climate Adaptation (CIRCA) and the Long Island Sound Futures Fund were identified as possible grant resources.

Jeff also talked to Mr. Paul Greenberg of the Essex Land Trust about the idea. Mr. Greenberg expressed interest in preserving this resource and would like to see a detailed analysis. The Land Trust was created after an attempt was made to develop Thatchbed Island to make sure there would be no development on the island. Jeff presented maps of the area, gave a history of the island, its demise and effects on the habitat and South Cove property owners, including wake action and exposure during storms, and attempts to fix it.

Jeff reviewed a broad-based estimate and a list of things that would need to be done that Keith Neilson prepared at an estimated cost \$185,500 with a contingency allowance bringing it up to \$230,000. The first step would be to obtain a permit for using the rock pile as a riprap barrier. The Commission discussed the project at length and is in favor of the concept. The Essex Land Trust's role, support, and/or participation as the owner of Thatchbed Island was also discussed, and the question of ownership of the Island was also raised. It was suggested that a presentation be made to the Essex Land Trust for an affirmative vote of support. Jeff has been invited to attend their next meeting on February 13, 2017.

Motion: John Senning moved that the Commission expresses its support in principal for the concept and that Jeff be authorized to present the concept to the appropriate parties of interest including The Essex Land Trust as soon as possible in conjunction with the Town and other appropriate constituted bodies. Terry Stewart seconded the motion. Those in favor: Earl Fowler, John Senning, Terry Stewart, and Joe Zaraschi; 4-0-0 motion unanimously approved.

10. Old Business

- **Confiscated Vessel Auction**

No update.

- **Harbor Management Plan Update**

No update.

- **36 Mack Lane Proposal**

No update. We do not have a proposal. John reiterated his statement at the last meeting that they are going to plant anything in the right of way until they submit a plan for our approval.

- **Newsletter**

Jeff has been working with Essex Printing and has a draft of the newsletter in a four page, black and white format with pictures. The cost is \$250.00 for 500 copies and it should be ready to go in a couple of weeks. He will have a draft sent to Commission members for their review.

11. Adjournment

Motion: Earl Fowler moved to adjourn the meeting at 10:00 p.m. Terry Stewart seconded the motion. Those in favor: Earl Fowler, John Senning, Terry Stewart, and Joe Zaraschi; 4-0-0 motion unanimously approved.

Respectfully Submitted,

Betsy McLaughlin, Clerk