
   Documents:

   HARBOR MANAGEMENT COMMISSION DRAFT JANUARY MINUTES (PDF).PDF

2. Harbor_Management_Commission_Associated_Item_2019_1_23

   Documents:

   DRAFT JANUARY MINUTES ATTACHMENTS.PDF
(DRAFT)

Town of Greenwich
Harbor Management Commission
Meeting
January 23, 2019
6:00 P.M.
Evaristo Room, Town Hall

Minutes

Members in attendance:

Bruce Angiolillo  Chairman
Mike Van Oss            Secretary
Bill Ingraham
Frank Mazza

Absent:

Lile Gibbons   Vice Chairman
Bernard Armstrong
Don Carlson

Alternates:

Absent:

Casey McKee
David Noble

Ex-Officio Members in Attendance:

Sue Baker   Conservation Commission
Joseph Benoit  R.T.M.
James Bonney  Police Department Marine Division
Brian Kerzner  Department of Parks & Recreation
Ian MacMillan  Harbormaster
John Toner    Board of Selectmen
Absent:
Roger Bowgen        Shellfish Commission
Rick Loh            Board of Parks & Recreation

1. Meeting called to order at 6:05 P.M. by Chairman Bruce Angiolillo

2. Approval of Minutes of the December 19, 2018 Regular Meeting

Motion to approve the Minutes of the December 19, 2018 Regular Meeting by Mike Van Oss, seconded by Bill Ingraham. Motion carried (Unanimous).

3. Chairman’s Report

Chairman Angiolillo reported on his major activities since the December meeting.

Chairman Angiolillo reported that he had been contacted by Patricia Sesto, Director of Environmental Affairs, regarding an RFP that is being prepared for a coastal resiliency assessment and plan. She indicated that the emphasis of the project will be on the landward impacts of sea level rise and changes in weather patterns. As the Greenwich Harbors Area may be addressed to some extent in the report, she invited the HMC to participate as part of the review team, or, if not in that capacity, to confer with the to-be-selected consultant on matters of interest and concern. She explained that the Shellfish Commission has elected to take the latter approach. Chairman Angiolillo stated that he plans to bring this up at the HMC’s February meeting and ask the Commission to decide on its preferred course of action.

He reported further that Pat Sesto had advised that the Town does not have a formal program for addressing invasive Phragmites vegetation, but has approached the problem on a case by case basis. She welcomes any advice and/or proposal that the HMC may have.

Chairman Angiolillo announced that the Connecticut Harbor Management Association will meet on January 30, 2019 to review the proposed DEEP Blue Plan. A copy of the invitation is attached to these Minutes. Also, at that time, the Association will address with DEEP the existing concerns of many harbor management commissions that DEEP is not giving proper deference to the policies set out in their respective harbor management plans when making regulatory decisions. Mike Van Oss and Geoff Steadman will attend this meeting.

Chairman Angiolillo distributed a copy of his January 13, 2019 letter to Katie DeLuca, which conveyed the HMC’s determination that the December 2018
revised draft of the proposed amendments to the WB Zoning Regulations are “consistent” with the Harbor Management Plan. A copy is attached to these Minutes. Mr. Angiolillo reported that he attended the Planning & Zoning Commission’s meeting on January 22 and that the matter was considered at the meeting. He stated that on January 23, the Planning & Zoning Commission approved the changes by a vote of 5-0. Mr. Angiolillo expressed the HMC’s appreciation for the cooperation provided by Ms. DeLuca through this complicated and extended process.

Chairman Angiolillo reported on the completion of the process of amending and updating Chapter 7 of the Town Code so as to conform it with the adopted Harbor Management Plan. He thanked Assistant Town Attorney, Aamina Ahmad, for her able assistance. Mr. Angiolillo distributed a copy of the revisions. He noted that the proposed changes must be adopted by the RTM for them to become effective. A copy is attached to these Minutes.

Lastly, Chairman Angiolillo advised that a letter co-signed by Frank Mazza will be send to the U.S. Army Corps of Engineers on the occasion of the retirement of Ed ODonnell, expressing our appreciation for all of his help and support over the years regarding the dredging of the Mianus River and the current, ongoing planning for Greenwich Harbor. A copy is attached to these Minutes.

4. Greenwich Harbor Dredge Project Planning Update

Frank Mazza reported that a $2 million “place holder” is being added to the Town’s proposed long term capital budget for the Greenwich Harbor dredge project. He explained that this is being done in recognition of the fact that in the past the State has expected a financial contribution from the municipality in circumstances where additional disposal costs are incurred as a result of the presence of “unsuitable” dredge material.

5. Finance Committee Report & Approval of 2019-2020 Budget

Finance Committee Chairman Frank Mazza reviewed the revised, final draft of the HMC budget for 2019-2020. After discussion, a motion to approve by Bruce Angiolillo, seconded by Bill Ingraham. Motion carried (Unanimous). A copy is attached to these Minutes.
6. **Mooring Committee Report**

Mike Van Oss reported that the renewal applications for the 2019 season have been sent and that mooring applications are coming in ahead of last year.

7. **Application Review Committee Report**

In the absences of Bernie Armstrong and Casey McKee, Chairman Angiolillo distributed a copy of the Committee's report prepared by Mr. Armstrong. After discussion, the consensus of the Commission members in attendance was to defer to Chairman Angiolillo on whether to take any action on any of the pending applications prior to the February meeting. Mr. Angiolillo stated that he would confer with Mr. Armstrong on next steps.

8. **Long Range Planning Committee Report**

Don Carlson was absent. No report.

9. **Harbormaster Liaison Report**

Bill Ingraham reported that Catalano and Sons had offered to donate a boat to the Harbor Management Commission. Mr. Ingraham stated that he and Frank Mazza had inspected the boat, but concluded it was not appropriate for HMC use. He also noted that later this year the Department of Parks & Recreation may be seeking to dispose of a boat, which may be suitable for the HMC.

10. **Unfinished Business - Consideration of proposed Kelp Farm**

Dave Noble was absent. No report.

Chairman Angiolillo reported that Mr. Noble had been notified by the applicant that there are discussions underway regarding a relocation of the proposed kelp farm, which is extending the process. Mr. Angiolillo stated that further discussion of this application should be deferred to a future meeting.
11. **New Business - Consideration of HMC participation in Coastal Resiliency Study**

   To be further discussed and decided at February meeting.

12. **Public Comment**

   Bill Ingraham reported continued progress on the permitting of special buoys (i.e. “Slow” - “Leave No Wake”) at Great Captain Island.

   Marine Police Lieutenant Jim Bonney reported on the Police Department’s current investigation and recent arrest for illegal commercial fishing in the GHA. Chairman Angiolillo, along with his fellow Commission members, expressed their great appreciation for the Police Department’s work and for bringing this flagrant, criminal behavior into public view.

13. **Adjournment**

   Motion to adjourn made by Frank Mazza, seconded by Bill Ingraham. Meeting adjourned at 7:10 P.M.

______________________  ________________________
Bruce Angiolillo        Mike Van Oss
Chairman                Secretary

Penny Monahan assisted the Secretary in the preparation of these minutes.
CHMA Sponsored Meeting
Long Island Sound Blue Plan
THE SOUND SCHOOL REGIONAL VOCATIONAL AQUACULTURE CENTER
60 South Water Street
New Haven, CT
January 30th 2019
7:00 – 8:30 pm

The Connecticut Harbor Management Association is holding an open house meeting to discuss the draft policies of the Long Island Sound Blue Plan. All Harbor Management Commission members, Harbor Masters and Deputies, as well as stakeholders interested in Maritime issues affecting Long Island Sound are welcomed to attend.

7:00 – 8:30 pm:
Presentation by Blue Plan Development Team
Brian Thompson, David Blatt, Mary-Beth Hart, Emily Hall, Kevin O’Brien – CT DEEP
Nathan Frohling, Christian Fox – The Nature Conservancy
Sylvain DeGuise – CT Sea Grant

The following policies that are included in the LIS Blue Plan will be discussed:
1) Sound-Wide Policies
2) Special Area Policies
3) Blue Plan “Lenses”

These policies are meant to protect the natural resources and traditional human uses of Long Island Sound (LIS), while allowing for sustainable and compatible future uses and a vibrant LIS economy.

DIRECTIONS: THE SOUND SCHOOL REGIONAL VOCATIONAL AQUACULTURE CENTER
60 SOUTH WATER STREET
NEW HAVEN, CT 06519

I-95 SOUTH
Take exit #45/CT-10 toward BOULEVARD - go 0.1 mi
Turn left on ELLA T GRASSO BLVD [CT-10] - go < 0.1 mi
Continue to follow CT-10 - go < 0.1 mi
At stop sign, continue straight onto SEA ST - go 0.4 mi
Park in lot next to Sound School Aquaculture Building (brick building)
Enter and take stairs to second floor.
Library Media room is on left.

I-95 NORTH
Take exit #44/KIMBERLY AVE onto KIMBERLY AVE [CT-122] - go 0.4 mi
Turn right on ELLA T GRASSO BLVD [CT-10] - go 0.2 mi
Continue to follow CT-10 - go < 0.1 mi
At stop sign, continue straight onto SEA ST - go 0.4 mi
Park in lot next to Sound School Aquaculture Building (brick building)
Enter and take stairs to second floor.
Library Media room is on left.
Long Island Sound Blue Plan
Draft Policy Overview

The Blue Plan draft policies (www.ct.gov/deep/lisblueplanpolicy) are meant to protect the natural resources and traditional human uses of Long Island Sound (LIS), while allowing for sustainable and compatible future uses and a vibrant LIS economy. These policies are being drafted in three sections:

1) **Sound-Wide Policies:**
   Sound-wide policies are the highest-level policies contained in the Blue Plan because they apply everywhere within LIS. This section focuses on matching policies to the [Blue Plan’s Vision and Goals statement](www.ct.gov/deep/lisblueplanpolicy); where goals include Healthy Long Island Sound Ecosystems, Effective Decision Making, and Compatibility Among Past, Current, and Future Ocean Uses.

2) **Special Area Policies:**
   These policies recognize and protect the discrete locations of Ecologically Significant Areas (ESAs), and Significant Human Use Areas (SHUAs). These unique and special areas have been identified through criteria specific to each, and vetted by the Blue Plan Advisory Committee, external stakeholders, and an Ecological Experts Group. Some ESAs and SHUAs also receive more specific siting and performance standards with which a coincident new use or proposal would have to comply.

3) **Blue Plan “Lenses”:**
   Blue Plan lenses are meant to be considered when applying the various policies and standards presented above. These lenses are meant to assist the applicant or agency when determining the suitability of a proposed project, the location of a proposed project, the timing of a proposed project, and if the project calls for additional information and data collection. Each of these lenses will also have an associated “tool” that will assist the user in considering the lens.

All of the information in the Blue Plan is intended to be used by existing users, new applicants, and the permit-issuing agencies to achieve mutually beneficial outcomes. In some cases, this may be creative solutions where the potential for conflict exists. For instance, it is possible that an applicant may work with an existing use recognized in the Plan to collaboratively and proactively find an arrangement that supports both interests, recognizing that the two parties are not mutually exclusive.

A few other key points that are important to point out in the draft Blue Plan policies is that policies are meant to be used in existing regulatory programs. The Blue Plan does not create new regulation, rather it is meant to provide resources and standards to existing permit and planning processes. Also, the Blue Plan is not meant to prohibit any uses; rather the goal is to protect the natural resources and reduce conflict with existing uses.

We need your help in determining how these draft policies represent Connecticut’s vision for Long Island Sound. The draft policy document can be found online at the [Blue Plan Website](www.ct.gov/deep/lisblueplanpolicy), and please send any comments or feedback to [DEEP.LISBluePlan@ct.gov](mailto:DEEP.LISBluePlan@ct.gov).
January 13, 2019

Ms. Katie DeLuca
Director of Planning and Zoning
Town of Greenwich
101 Field Point Road
Greenwich, Connecticut 06830

Subject: December 2018 Proposed Amendments to the Waterfront Business Zone regulations

Dear Ms. DeLuca:

The Greenwich Harbor Management Commission (HMC) has reviewed the above-noted, most recent proposal by the Planning and Zoning (P&Z) Commission to amend the Greenwich Waterfront Business (WB) Zone regulations (Proposed Amendments). The WB Zone (Section 6-107 of the Town of Greenwich Building Zone Regulations) is applied to four separate locations on the Town’s shoreline, including developed waterfront properties along the Byram River, Greenwich Harbor, and Cos Cob Harbor.

Among the stated purposes of the WB Zone, established in 1987, are to implement the goals of the Connecticut Coastal Management Act: give highest priority to water-dependent uses; and assure that “limited waterfront areas are reserved for the uses they are uniquely suited for and not pre-empted by uses which can be more appropriately located elsewhere.” For 32 years, it has been a Town planning and zoning priority to protect and encourage water-dependent uses on its shoreline. That priority is also reflected in the Town’s Harbor Management Plan approved by the State of Connecticut and adopted by the Greenwich Representative Town Meeting in 2017.

As the Proposed Amendments affect property on, in, or contiguous to the Greenwich Harbors Area (the jurisdiction of the HMC and Harbor Management Plan), the proposal is subject to review by the HMC to determine its consistency with the Plan. Authority and requirements for this review are specified in Sec. 22a-113p of the Connecticut General Statutes, Sec. 7A-4 of the Greenwich Municipal Code, and the Plan.

On behalf of the HMC, I wish to thank you once again for your substantial efforts over the past year to update the HMC of the intended purpose and substance of the Proposed Amendments, including the several previous drafts and the current December 2018 draft. In addition, I reiterate our previously expressed appreciation for your participation in regular and special meetings of the HMC to discuss this matter, including the special meetings on December 6, 2017 and October 10, 2018. Over this extended period, beginning with the P&Z Commission’s February 23, 2017 public workshop and including the P&Z Commission’s 2018 Public Hearings, the HMC has given much consideration to the potential effect of the Proposed Amendments on the Greenwich shoreline, including the effect on existing water-dependent uses and future water-dependent development opportunities.

Prior to the P&Z Commission’s November 20, 2018 continued Public Hearing, the HMC considered the October 2018 draft of the Proposed Amendments and found, unanimously, that the draft was inconsistent with the Harbor Management Plan. This finding reflected our concern that the Proposed Amendments contained in the October 2018 draft would, over time, diminish existing water-dependent uses and future water-dependent development opportunities. Our finding and supporting analysis, including references to applicable policies of the Plan, were transmitted in my November 18, 2018 letter to you. On behalf of the HMC, I addressed the P&Z Commission at the November 20 Public Hearing and met separately with you on December 3 in an effort to address our concerns and achieve consistency with the Town’s harbor management policies. Thereafter, the Planning and Zoning Department provided the HMC with the current, December 2018 draft of the Proposed Amendments.

At its meeting on December 19, 2018, the HMC discussed the further revised December 2018 draft and found that it addresses adequately the concerns expressed in my November 18 letter. Specifically, the HMC concluded that the proposed changes to the existing WB Zone regulations contained in December 2018 draft do not undermine the applicable policies of the Harbor Management Plan, including the policies to protect and encourage water-dependent uses. As you know, the Harbor Management Plan calls for coordination and cooperation among the HMC, P&Z Commission, and other Town agencies to achieve the Town’s goals for waterfront use and development. That coordination and cooperation have been evident throughout the process of preparing and reviewing the Proposed Amendments. We appreciate the P&Z Commission’s thoughtful efforts to address our concerns and we look forward to continued coordination with the P&Z Commission and your office to achieve our shared goals for encouraging and supporting water-dependent uses of the Greenwich Harbors Area.
Accordingly, following discussion and deliberation at its meeting on December 19, 2018, the HMC approved unanimously a motion to find the December 2018 Proposed Amendments to be consistent with the Harbor Management Plan and to transmit this finding to the P&Z Commission.

For the sake of good order, the HMC reserves its right, pursuant to the General Statutes and Municipal Code, to review future development proposals within the designated WB Zones for consistency with the Harbor Management Plan and to provide its findings and recommendations to the P&Z Commission.

If you have any questions or wish to discuss this matter further at this time, feel free to contact me at (917) 622-0284 or bruce.angiolillo@greenwichct.org.

Sincerely,

Bruce Angiolillo, Chairman

cc:
Board of Selectmen
HMC Commissioners
Mr. David Blatt, CT DEEP
Ms. Margarita T. Alban, Acting Chair, Planning and Zoning Commission
Greenwich Waterfront Business (WB) Zone Study
Recommended Zoning Revisions
August 2018 changes in black underline
November 2018 changes in red
December 2018 changes in green

Sec. 6-2. CLASSES OF ZONES.

Thirty-five (35) classes of zones are established:

CLASSES OF ZONES

RA-4. 4 Acre Residence
RA-2. 2 Acre Residence
RA-1. 1 Acre Residence
R-20. Single Family Residence 20,000 square feet R-12.
       Single Family Residence 12,000 square feet R-7.
       Single Family Residence 7,500 square feet
R-6.  Single and Two-family Residence 7,500 squarefeet; Multi-family R-
MF.  Multi-Family
R-C.  Residential Conservation
R-CC. Residential Conservation Cluster
R-PHD-E. Residential-Planned Housing Design-Elderly
R-PHD-N. Residential-Planned Housing Design-Neighborhood R-
PHD-TH. Residential-Planned Housing Design-Town House R-
PHD-SU. Residential-Planned Housing Design-Small Unit
RP-R. Planned Residential
CCRC. Continuing Care Retirement Community Overlay Zone LBR.
       Local Business Retail
CGBR. Central Greenwich Business Retail LB.
       Local Business
CGB. Central Greenwich Business
GB.  General Business
GBO. General Business-Office
WB. Waterfront Business
WB-3. Waterfront Business—Byram
WB-2. Waterfront Business—Steamboat Road
WB-3. Waterfront Business—River Road and Sound Shore Drive
BEX-50. Executive Office Business
P.  Parking
CGIOZ. Central Greenwich Impact Overlay Zone
PRIOZ. Post Road Impact Overlay Zone
HRO. Historic Residential-Office
HD. Historic Overlay
COZ. Coastal Overlay Zone FHOZ.
       Flood Hazard Overlay Zone
IND-RE. Industrial Re-Use Overlay Zone
H.  Hospital Zone (H-1, H-2)
Sec. 6-5. DEFINITIONS.

(a) As used in this Article:

(12.4) Dock and port facilities shall mean as place where a watercraft can dock so that passengers can embark and disembark appropriately or in case of cargo ships, load or unload goods.

(36.1) Marina: Waterfront establishments whose business is offering slips, berthing, storing, moorings, or securing of watercraft, but not including community piers and other non-commercial boat docking and storage facilities. A marina may include the sale or rental of watercrafts and marine sporting equipment, promotional events clearly incidental to watercraft activities, and the servicing, repair, or storage of same. Such establishments may also provide travelift services, slip rental, fuel, and sanitary pump out service.

Renumber 36.1 through 36.5

(40.1) Public Waterfront Access shall mean a safe and unobstructed access along and/or to the dry, nontidal or nonsubmerged shore areas for all members of the public in order to provide a continuous public access system to and along the waterfront and/or public rights-of-way. Such access shall be in the form of a permanent easement or other form of conveyance acceptable to the Town of Greenwich. Public Waterfront Access shall not preclude other types of in-water access, such as car-top boat launches or fishing piers.

(40.2) Rear Lot shall mean a lot whose frontage on a street is as defined in Sec. 6-131. (5/4/2005)

(40.3) Recreational Facility: shall mean a commercial establishment or use where indoor or outdoor passive or active recreation activity is conducted including but not limited to batting cages, miniature golf, skate parks, ice-skating rinks, swimming pools, golf courses, bowling lanes, tennis and other sports facilities. (9/28/2010, 9/20/2013)

(43.1) Rowing Club: shall mean a facility that consists of a space to store rowing shells, oars, and associated equipment. It may also include incidental space for fitness equipment, locker rooms, office space, boat sales, and restaurant.

Renumber 43.1 through 43.2

(52.1) Water-based recreation uses shall mean a recreational use facilitating public access to the water, which through the location, design, and operation, ensures the public's ability to enjoy the physical and aesthetic qualities of the shoreline. The use must be open to the general public. Water-based recreation uses may include but are not limited to parks and playgrounds, piers, fishing piers, pedestrian and/or bicycle trails, rental of small watercraft such as kayaks and paddle boards for use off the property only, and similar improvements.

(52.2) Water-dependent uses means those uses and facilities which require direct access to, or location in, marine or tidal waters and which therefore cannot be located inland. (5/11/1987)

(52.3) Water-related uses shall mean those uses and facilities which require or are directly related to uses that require direct access to, or location in, marine or tidal waters and which therefore cannot be located inland. For example, a rowing club requires direct access to the water and a common ancillary use includes space for ergometers and related and ancillary office space.
(52.4) Water-enhanced uses shall mean those uses and facilities that are not directly dependent upon access to water, but whose presence facilitates public access to and enjoyment of the water.

(52.2) (52.5) Wet bar shall mean an area equipped with running water, a sink of not more than 250 square inches and a bar or serving counter, and may also include an under counter or counter top refrigerator. The wet bar shall not include facilities for cooking. (10/3/2001)

(54) **Yacht Club:** shall mean a facility that consists of structures and related grounds and/or moorage used for social and recreational purposes related to boating, sailing or yachting. Incidental uses may include a swimming pool and restaurant.

(54) (54.1) Yard, Front shall mean an open space across the full width of the lot between the front wall of the principal building and the front lot line. See Diagrams 7 and 9 (4/30/2002)
USE GROUP 7

USE GROUP 7a Water Dependent Uses (5/11/87)
Boat and engine repairs, service and storage;
Assembling, processing or any light mechanical operation clearly accessory and related to the conduct of a water dependent use shall be permitted provided that such accessory use is not larger than 750 square feet gross floor area; and, in the opinion of the Zoning Enforcement Officer, is not offensive or obnoxious or detrimental to the neighborhood by reason of emission of odor, dust, smoke, fumes, or noise; (7/19/2006)
Boat yards and/or buildings devoted to boat building, repairs, service and dry storage on both the ground and in boat storage racks*;
Recreational and Commercial fishing and boating facilities such as marine transport and excursion services, including ferries, captained charter services, sport fishing and water taxis;
Dock and port facilities; (5/11/87)
Facilities for marine pollution control, oil spill cleanup, and servicing of marine sanitation devices;
Harbor security and emergency response services including but not limited to Harbor Master, Marine Patrol and Coast Guard;
Processing or sale of seafood delivered to the site via a dock or port facility located on the same property and provided that such use is not larger than 750 square feet gross floor area, and in the opinion of the Zoning Enforcement Officer is not offensive or obnoxious or detrimental to the neighborhood by reason of emission of odor, dust, smoke, fumes or noise; (5/11/87)
Public or private marinas; (5/11/87)
Public waterfront access subject to Section 6-107(g):
Retail sales and dispensing of fuel and lubricants at dockside for marine purposes only but expressly excluding the bulk storage of fuel;
Water-based recreation uses; (5/11/87)

*Boat storage racks along with the boats placed on them are limited in aggregate height to a maximum 30 feet above the grade and must meet accessory setbacks. Height shall be measured from the grade beneath the rack to the highest point of the uppermost boat stored on the rack. (7/19/2006)

USE GROUP 7b Water Related Uses (Special Permit Required). Prior to the approval of an application for a Special Permit the Planning and Zoning Commission shall find that the proposed activities are accessory or subordinate or provide supportive services to a water dependent use. (5/11/87)

Beach Clubs, including pools, cabanas and lockers. (5/11/87)
Streets, parks and playgrounds
Boat and marine engine sales;
Food service, other than drive-ins, having no more than 750 square feet gross floor area, when subordinate and clearly incidental to a water dependent use and as subject to Sec. 6-194 to Sec. 6-199 inclusive of the Building Zone Regulations. (5/11/87)
Marine related retail and service establishments. (5/11/87)
Marine research laboratories for the study of oceanography, marine environment, ecology and coastal resources. (5/11/87)
Rowing clubs, public or private;
Sale of marine and fishing supplies and provisions such as fishing tackle and bait, marine parts and
hardware and equipment supplies, anchoring tackle and supplies, marine electrical, electronics, navigation equipment, and the like (5/11/87)
Yacht clubs, public or private

USE GROUP 7c Water Enhanced Uses
Special Permit Required. Prior to the approval of an application for a Special Permit the Planning and Zoning Commission shall find that the proposed activities maximize the opportunity for public access to and enjoyment of waterfront areas without conflicting with other Use Group 7a and 7b water-dependent uses.

Office Uses, not related to any 7a or 7b use
Outdoor dining facilities, ancillary and contiguous to an eating establishment (restaurant, or retail food establishment), operating on a seasonal (seven month) basis starting on April 1st and concluding on November 1st in any calendar year and subject to the standards and conditions listed (1) through (8) under Section 6-100 Use Group 1. (11/25/2008, 3/25/2014)
Restaurants greater than 750 square feet, other than drive-ins
Retail Food Establishments
Seasonal Farm Stands
Multi Family Dwellings
Sec. 6-107. USE REGULATIONS AND SPECIAL REQUIREMENTS FOR WATERFRONT BUSINESS ZONE ZONES.

(a) Statement of Policy and Purposes (5/11/87)

Waterfront properties in the Town of Greenwich are an extraordinary and limited resource. It is therefore the policy of the Planning and Zoning Commission to control the uses and intensity of development in the Waterfront Business Zone Zones so as to enhance the value of waterfront land for the intended purpose of retaining and encouraging commercial uses which depend on a waterfront location and encourage land uses that maximize opportunities for public access, while protecting natural resources. To that end, the waterfront shall be developed following the schedule of priorities herein:

(a) The first priority of this zone is to protect and nurture existing and potential water-dependent uses;
(b) The second priority is to encourage other water related uses so long as they do not interfere with water-dependent uses, either directly by displacement or indirectly by placing incompatible demands on the zone’s infrastructure;
(c) Water enhanced uses are encouraged provided that they do not interfere with and are not incompatible with first and second priority uses and meet the special requirements of Section 6-107(e).

The purpose of these zoning regulations is to regulate the type and size of development in business zoned waterfront properties in order to: (5/11/87)

(1) Implement the goals of the Connecticut Coastal Area Management Act and Sec. 6-111 of the Building Zone Regulations – The Coastal Overlay Zone; (5/11/87)
(2) Preserve scenic vistas by permitting development of a height and mass which will be compatible with the public enjoyment of waterfront views; (5/11/87)
(3) Give the highest priority and preference to uses and facilities that are dependent upon their proximity to the water or the shorelands immediately adjacent to marine and tidal waters; (5/11/87)
(4) Capitalize on the waterfront’s unique attributes as a recreational resource accessible either through publicly owned land or commercial water dependent establishments; and to assure that these limited waterfront areas are reserved for the uses they are uniquely suited for and are not pre-empted by uses which can be more appropriately located elsewhere.
(5) Create and enhance public access to and enjoyment of the water

(b) Permitted Uses:
Use Group 7a
Use Group 7b (special permit required)
Use Group 7c (special permit required)

Use Group 7a and 7b.

The following Use Group 7c uses are permitted in the WB-1 (Byram) subject to the special permit conditions specified in Section Sec. 6-107(d):

- Restaurants greater than 750 square feet, other than drive-ins
- Retail Food Establishments
- Seasonal Farm Stands
- Multi-Family Dwellings, permitted on upper stories only.
The following Use Group 7c uses are permitted in the WB-2 (Steamboat Road) subject to the special permit conditions specified in Section Sec. 6-107(d):

- Restaurants greater than 750 square feet, other than drive-ins
- Office Uses, not related to any 7a or 7b use
- Multi-Family Dwellings, permitted on upper stories only

The following Use Group 7c uses are permitted in the WB-3 (River Road / Sound Shore Drive) subject to the special permit conditions specified in Sec. 6-107(d):

- Restaurants greater than 750 square feet, other than drive-ins
- Retail Food Establishments
- Seasonal Farm Stands
- Office Uses, not related to any 7a or 7b use, permitted on upper stories only
- Multi-Family Dwellings, permitted on upper stories only

(c) Special Requirements:

1. No change in use of existing structures exceeding 40,000 cubic feet in volume above established grade from one Use Group 7b or 7c use to another use from that category shall not be permitted without a special permit approval from the Planning and Zoning Commission. (5/11/87)

2. No new construction for any use or uses which would result in a structure or group of structures which individually or together would total in excess of 40,000 cubic feet in volume above established grade shall be permitted except when authorized by special permit by the Commission pursuant to Sec. 6-17 of these regulations. (5/11/87)

3. All applications in the WB Zone shall be reviewed for compliance with the Building Zone Regulations including but not limited to Sec. 6-111, Sec. 6-15 and Sec. 6-17. (5/11/87)

4. No construction or change of use of land or water shall adversely impact existing or potential water-dependent activities or development opportunities. (5/11/87)

5. In addition to the standards and requirements of Sec. 6-141(b)(1) conversion of a non-conforming use of land or buildings to another non-conforming use, shall be permitted only upon a finding by the Planning and Zoning Commission that, in consideration of the nature of the waterfront property, including the land, the water immediately adjacent and the existing structures, the purposes and requirements of the WB Zone are met. (5/11/87)

6. No land in the WB Zones shall be divided so as to create lots without a common boundary with the water. Any division shall be consistent with the standards and requirements in (7) below. (5/11/87)

7. Lot shape, size and location, the location and size of the buildings, and the arrangement of parking and drives shall be consistent with maximum utilization of the property for the purposes of the zone. The mix of slip space, upland storage, support facilities and parking shall be such that it assures the viability of water-dependent uses. (5/11/87)

8. No building shall be located less than 30' from mean high water unless the Commission finds that the special function, use or design of the structure or its relationship to the lot makes placement closer to the waterfront more consistent with the purposes of the zone. (5/11/87)

9. Illuminated signs, as regulated in Sec. 6-168 shall not be visible from the water. (5/11/87)

10. Sites shall be designed in a manner that preserves the visual quality of vistas and view sheds from both the water and public right-of-way. See diagram 11. When assessing impacts to vistas and view sheds, the Commission shall take into consideration the following:
(a) Presence of and locations of public access easements
(b) The size and height of buildings
(c) Locations and orientation of buildings, surface parking areas, and site landscape features relative to the water
(d) Coastal resources within the view shed, including tidal rivers, streams and creeks, wetlands and marshes, intertidal mudflats, beaches and dunes, bluffs and headlands, islands, rocky shorefronts, and adjacent shoreland areas

(d) Special Requirements for Use Group 7b uses only:
   (1) A public waterfront access in accordance with 6-107(f) shall be provided on any site with a Use Group 7b use
   (2) Prior to the approval of an application for a Special Permit, the Planning and Zoning Commission shall find that the proposed activities maximize the opportunity for public access to and enjoyment of waterfront areas without conflicting with other Use Group 7a uses.

(e) Special Permit Requirements for Use Group 7c uses only:
   (1) Prior to the approval of an application for a Special Permit, the Planning and Zoning Commission shall find that the proposed activities are subordinate to, or provide supportive services to, a Use Group 7a use.
   (2) A Use Group 7a use and public waterfront access in accordance with 6-107(f) shall be provided on any site with a Use Group 7c use, subject to the following: Therefore, any property improved with a Use Group 7a use, shall also be improved with a public waterfront access and any other Use Group 7a use.

(a) A Use Group 7c use shall only be permitted once the waterside improvements are fully developed with improvements that, first, support the Use Group 7a uses and, secondly support the Use Group 7b uses. Further, the majority of the waterside improvement shall be in support of Use Group 7a uses, subject to the discretion of the Commission who shall take in to consideration that some Use Group 7a uses may have more space demand than others. For example, the space needed for the boat slips in a marina could exceed the space needed for a commercial fishing operation.

(b) Once the upland improvements needed to satisfy Section 6-107(e)(2)(a) have been met, including but not limited to the structures and buildings to support the Use Group 7a and/or 7b uses, the public access walkway, and all parking requirements, the remaining available upland parking area may be used to support a Use Group 7c use, provided that the total building coverage of any buildings or structures occupied by a Use Group 7c use shall be no more than fifteen percent (15%) of the gross lot area.

(3) Special conditions for public or private restaurants:
   (a) Restaurants are permitted provided that full course meal food service and consumption shall be the primary function of the restaurant, and full course meal service shall be continued up until the hours of closing.
   (b) The hours of operation for any restaurant shall be limited to within 5:00 a.m. and 11:00 p.m. each day.
   (c) One boat slip per every 10 seats in a public or private restaurant shall be made available for public docking and use of the restaurant (subject to any reciprocity rules for private clubs). For public restaurants only, every boat slip required for the public’s use of the restaurant shall result in one less upland parking space required for the same. For either public or private restaurants, a lesser number of boat slips may be required as deemed appropriate by the Commission so as to ensure no Use Group 7a or 7b use is hindered by this
Special Conditions for Multi-Family Dwellings

(a) All multi-family residential developments shall have a minimum lot size of 20,000 square feet.

(b) Multi-family development in a flood hazard zone (A-zone) shall provide access from the proposed building to the street, both of which must be at an elevation equal to or greater than the corresponding flood zone elevation. No residential uses are allowed within FEMA-designated V-zones. All residential development must be constructed according to FEMA standards.

(c) Multi-family residential developments shall use the parking standards from Sec. 6-155.

(d) The net density for a multi-family residential development in the WB zone shall not exceed 1 dwelling unit per 4,200 square feet of lot area.

(e) The maximum permitted floor area ratio (FAR) for residential developments may be increased from 0.5 to 0.7, as determined by the Commission.

(f) The maximum number of stories for residential buildings may be increased from 2.5 stories to 3 stories and the maximum height may be increased from 30 feet to 35 feet, as determined by the Commission.

(g) Boat slips associated with a marina on a property improved with residential uses shall be made available to the public at large and shall not be restricted for the sole use of the residences.

Requirements for Public Waterfront Access

(1) The public waterfront access shall be ensured through the dedication of a permanent public waterfront access easement or other acceptable instrument. The easement shall encompass the area of land extending from the mean high water mark to a point at least fifteen feet inland, subject to the discretion of the Commission.

(a) The easement shall be wide enough to accommodate a ten foot wide walkway as well as necessary screening and fencing so as to ensure public safety and security for upland uses. See Diagram 12.

(b) The public waterfront access easement shall connect to all public waterfront access easements on adjacent properties. See Diagram 12.

(c) The public waterfront access easement shall extend along the entire waterfront of the site. See Diagram 12.

(2) The Commission, in its discretion, may modify the size or layout of a public waterfront access easement under the following conditions:

(a) If safe, unobstructed waterfront improvements cannot be reasonably built within a fifteen foot easement due to physical, site, or environmental conditions including but not limited to presence of steep terrain, exposed bedrock, coastal wetlands, or utilities. See Diagram 13.

(b) If, due to the nature of the upland use, a wider buffer is needed between the public waterfront access and upland areas in order to protect the health, safety, and welfare of the public and ensure tenant security. See Diagram 13.

(c) If, due to the nature of a Use Group 7a use, a reduction or elimination of a portion of the Public Waterfront Access is needed such as in the area of a crane-operated boat lift.

(3) The Commission shall require the dedication of a ten foot permanent public accessway
easement or other acceptable instrument that connects the public waterfront access easement to the public right-of-way. The easement shall be wide enough to accommodate an eight foot wide walkway. The Commission, in its discretion, may waive the public accessway easement requirement for a walkway if it finds that there is another accessway within a reasonable distance. See Diagram 12. In determining whether to waive the public accessway easement requirement, the Commission shall consider the following:

(a) Distance to other public accessways
(b) Connectivity to other public accessways and waterfront walkways
(c) Presence of and locations of dedicated public access parking spaces
(d) Sidewalk connectivity
(e) Physical, site, or environmental conditions including but not limited to presence of steep terrain, exposed bedrock, coastal wetlands, or utilities

(4) A Declaration of Restrictions for the public waterfront access easement shall be provided to the Commission. The restrictions shall include but not be limited to maintenance obligations of the waterfront public access improvement and associated landscaping.

(5) In order to ensure public safety and tenant security, property owners shall be permitted to establish reasonable rules that must be approved by the Planning and Zoning Commission, which will govern permitted and prohibited recreational uses on their property, inclusive of all easements, as well as reasonable time-of-day restrictions (e.g. open dawn to dusk) as established in the Town of Greenwich Park Rules

(6) All public waterfront access points shall contain uniform signage indicating the area is open to the public. Public waterfront access signage shall meet the following criteria:

(a) All Public Access signs shall abide by the design criteria as shown in the CT DEEP Coastal Public Access Sign Catalog. These signs are available from the CT DEEP for a nominal production fee. See Diagram 14.
(b) All signs shall be placed in an area that is clearly visible from the public right-of-way
(c) Where materials to construct the public access way differ from property to property, signage shall be placed at the property line to indicate the continuation of the public access.

(6) Public waterfront access signage may also include the following items:

(a) Hours of operation (e.g. dawn to dusk)
(b) Directional arrows
(c) Types of recreation permitted
(d) Prohibited activities

(7) Public Access Parking Requirement. Since many residents do not live within walking distance to the water, public parking is necessary for maximizing the utility of public waterfront access points.

(a) One public access parking space shall be required if the total minimum parking requirement for a site is 30 spaces or less. Two public access parking spaces shall be required if the total minimum parking requirement for a site is greater than 30 spaces.
(b) Each dedicated public access parking space shall be clearly signed and demarcated as reserved for public access use.
(c) Public access parking spaces shall not count towards the minimum parking requirement.

(8) Up to 25 percent of the minimum parking requirement can be satisfied by off-site parking under the following conditions:

(a) The off-site parking area must have adequate entrances and exits and be on property under the same ownership as the site, with the nearest entrance within one-thousand feet of the main entrance of the building.

(b) Employees of the building's occupants shall be required to use such available parking, leaving on-site parking for patron and customer use. Residential uses are not eligible for the off-site parking allowance.

(h) Design Standards for Waterfront Public Access Improvements

The purpose of this section is to establish design standards for public waterfront access improvements in order to ensure that these areas are cohesive across many development sites.

(1) Waterfront improvements shall be accessible to the public and shall be located within a public access easement.

(2) A waterfront walkway at least ten feet in width shall be provided. See Diagram 15. The walkway:

(a) Shall extend along the entirety of the public waterfront access easement. See Diagram 15.

(b) Shall be constructed of high-quality materials that are cohesive with public waterfront improvements on abutting properties so as to create a unified waterfront. See Diagram 15.

(c) Shall provide unobstructed access to public waterfront improvements on abutting properties. See Diagram 15.

(d) A vegetative buffer, fencing, or screening may be provided between the waterfront walkway and upland land uses in a manner necessary to ensure public safety and tenant security. See Diagram 15.

(e) The walkway extending to a public street or right-of-way in a manner providing safe and convenient public access to the waterfront shall be made of the same materials as the waterfront walkway.

(f) The walkway shall be exempt from the coverage calculation.
<table>
<thead>
<tr>
<th>USE</th>
<th>REQUIRED PARKING SPACES</th>
</tr>
</thead>
<tbody>
<tr>
<td>Marina</td>
<td>1 1/2 spaces, 0.75 0.5 spaces per slip, mooring or other unit accommodating a boat or vessel in the water</td>
</tr>
</tbody>
</table>
DIAGRAM 11: ILLUSTRATION OF BUILDING ORIENTATION AND IMPACTS TO WATERFRONT VIEWS
Diagram 12: Illustration of Waterfront Public Access and Public Accessway Easements

- Public Right-of-Way
- 10' Wide Permanent Public Accessway Easement
- Connection to Public Waterfront Access Easement on Adjacent Parcels
- 15' Wide Public Waterfront Access Easement
- Mean High Water Mark
- Public Waterfront Access Easement to Extend Along Entire Waterfront of Parcel
Diagram 13: Illustration of conditions where a wider public waterfront access easement may be required.

- Public Right-of-Way
- 15' Wide permanent public accessway easement
- 15' wide public waterfront access easement
- Physical site obstruction limits access directly along waterfront
- Wider public waterfront access easement to extend along entire waterfront of parcel
- Connection to public waterfront access easement on adjacent parcels
- Mean high water mark

Widen public access easement due to site physical and/or environmental conditions.
Diagram 14: Illustration of Public Access Signage from the Deep Coastal Public Access Sign Catalog
DIAGRAM 15: ILLUSTRATION OF DESIGN STANDARDS FOR PUBLIC WATERFRONT ACCESS IMPROVEMENTS

1. Maximum width waterfront walkway to extend full length of property
2. Constructed of high-quality materials that are conducive to abutting properties
3. Provides uninterrupted access to waterfront improvements on abutting properties

Incentives for Waterfront Improvements

- Vegetative buffer and/or fencing to be provided between the waterfront walkway and upland uses
- 10' wide public waterfront access easement
- Connection to public waterfront access easement on abutting properties
- Narrower permanent public access easement
- Right-of-way materials to match waterfront walkway
- Narrower buffer/fencing between walkway and waterfront walkway
- Right of way extending along waterfront upland use
DIAGRAM 16 - ILLUSTRATION OF WATERFRONT WALKWAY AND VEGETATIVE BUFFER DESIGN STANDARDS

PUBLIC WATERFRONT ACCESS EASEMENT

10' (MIN.) WATERFRONT WALKWAY

MEAN HIGH WATER MARK

EXISTING GRADE

VEGETATIVE BUFFER AND/OR FENCING TO BE PROVIDED BETWEEN THE WATERFRONT WALKWAY AND UPLAND USES

UPLAND USES
CHAPTER 7. PARKS AND RECREATION

FOOTNOTE(S):

--- (I) ---

Charter reference—As In harbor regulations, see Article 10, Sec. 307.

ARTICLE 1A. - MARINE DOCK AND FACILITIES.

Division 1. - General Provisions.

Sec. 7-1. - Definitions.

(a) As used in this division and in Article 1A:

(1) Marine Dock shall mean a dock structure and/or related floating marine facility for the purpose of providing supplies, provisions, fuel or other services, including secure moorings and dockage for boats and other craft, for which payment is made.

(2) Harbor Management Commission shall mean the Harbor Management Commission of the Town of Greenwich.

(3) Mooring Regulations shall mean the Regulations For Mooring And Anchoring Vessels In The Greenwich Harbors Area, adopted by the Harbor Management Commission and the Board of Selectmen, and as amended from time to time.

(4) Mooring shall mean the place where, or object to which, a vessel can be made fast by means of mooring tackle so designed that, when such attachment is terminated, some portion of the tackle remains below the surface of the water and is not under the control of the vessel or its operator.

(Ords. & Reg., § 2-8.1, 4/3/58.)

Sec. 7-2. - Dock license required; application; revocation.

(a) No person shall operate or permit to be operated on or in connection with land owned by him a marine dock without an unrevoked license from the Director of Health.

(b) The application shall be in writing on a form furnished by the Director of Health and signed by the applicant.

(c) The Board of Health shall have power to revoke the license of any marine dock found not to be operating in compliance with Chapters 4 and 5 of this Code. No order of revocation shall be made except after hearing and reasonable notice to the licensee. When a license has been revoked another license shall not be issued except with the approval of the Board of Health.

(Ords. & Reg., § 2-8.2, 4/3/58.)

Sec. 7-3. - Toilet facilities; restaurant connection.

(a) There shall be provided for every marine dock adequate and convenient public toilet facilities separate for males and females, washing facilities with running water and soap and sanitary towels. Toilet rooms shall not open directly into any room in which food, drink or utensils are handled or stored. The doors
of all toilet rooms shall be self-closing. Toilet rooms shall be kept clean, in good repair and well lighted and ventilated.

(b) If a restaurant is operated in conjunction with the marine dock, there shall also be provided washing facilities with warm running water.

(Ords. & Reg., § 2-8.3. 4/3/58.)

Sec. 7-4. - Freshwater; access.

An adequate supply of sanitary freshwater shall be easily accessible. Cross-connections between the public water supply and any other body of water or water supply is prohibited.

(Ords. & Reg., § 2-8.3.2, 4/3/58.)

Sec. 7-5. - Refuse containers.

Covered watertight metal refuse containers shall be provided for all marine docks. Separate containers shall be used so as to effectively prevent any mixture of combustible and noncombustible refuse. All such containers shall be kept in a sanitary condition and shall be emptied at frequent intervals and their contents disposed of as provided in this Code.

(Ords. & Reg., § 2-8.3.3. 4/3/58.)

Sec. 7-6. - Supplying violator of pollution laws; license revocation.

(a) Mooring, supplies, provisions, services or fueling shall not be provided by owners, operators or employees of owners or operators of marine docks to boats, the owners or operators of which are known by the owners, operators or employees to be violating the statutes of this state prohibiting the pollution of waterways by sewage prejudicial to public health, garbage, domestic refuse and other materials of like nature.

(b) The license for the operation of the Marine dock may be revoked as provided in Section 7-2(c) for the violation of this Section.

(Ords. & Reg., § 2-8.3.4. 4/3/58.)

Sec. 7-7. - Posting of regulations.

Licensees shall post in conspicuous places an adequate number of signs setting forth a copy of the regulations contained in this Article and stating that: Toilet and refuse containers are available on the dock. Connecticut General Statutes prohibit the disposal of sewage prejudicial to public health, garbage, domestic refuse or other material of like nature in the waters of any river, stream, pond, lake or tidal waters of the State.

(Ords. & Reg., § 2-8.3.5. 4/3/58.)

Division 2. - Rules and Regulations.

FOOTNOTE(S):

--- (2) ---
Sec. 7-8. - Inner and outer harbors defined.

(a) For the purpose of these regulations the waters of the Town are divided into the "inner harbors" and the "outer harbor," as follows:

(1) The inner harbors:

(A) Byram Harbor shall be north of a line running from the navigation light on the Byram Point Breakwater to Black Can Buoy #3 at Wilson Head and thence to the southernmost end of Field Point.

(B) Greenwich Harbor shall be north of a line from the southernmost end of Field Point to the southernmost point of Tweed Island.

(C) Cos Cob Harbor shall be north of a line from the southernmost point of Horse Island to the southernmost end of Todd Point.

(D) Greenwich Cove shall be the area northeast of a line from the southernmost end of Elias Point to a chimera tower on the locker building on Flat Neck Point.

(E) Tomac Creek shall be the area west of so much of a line separating the town of Greenwich from the city of Stamford as lies north of the principal seaward opening of such creek.

(F) So much of Port Chester Harbor as lies in Connecticut and north of the southernmost end of the breakwater on Byram Point.

(2) The outer harbor:

(A) The waters of Captain Harbor, being bounded to the west by Byram Point, to the south by Great Captain Island and Little Captain Island, and to the east by Greenwich Point.

(Ords. & Regs., § 16-1. 4/18/50; as amended 3/28/55; 6/16/55; 6/2/58; revised 4/23/58 and 1/29/63.)

Sec. 7-9. - Speed limits and regulations.

(a) In the inner harbors, water skiing and aquaplaning are prohibited. No vessel shall exceed the speed of five (5) statute miles per hour.

(b) In the outer harbor vessels shall proceed with caution and shall operate at such reduced speed when passing other vessels as to leave as little wake as possible.

(c) All Town, State and federal laws pertaining to the operation of vessels shall be in force in both the inner and outer harbors of Greenwich waters.

(Ords. & Regs., § 16-2. 4/18/50; revised 4/23/58 and 1/29/63.)

Sec. 7-10. - East (Main Beach) Greenwich Point.

No vessel shall approach or a seaplane land within five hundred (500) feet of mean high water line except that small boats may land on south end of beach near rocky area.

(Ords. & Regs., § 16-3. 4/18/50; revised 4/23/58 and 1/29/63.)
Sec. 7-11. - Island Beach.

No vessel shall approach or a seaplane land within four hundred (400) feet of the mean high water line, except that passengers may be discharged at the inner float and small boats may land at the southwest end of the beach in the area designated as a boat landing strip.

(Ords. & Regs., § 16-4, 4/18/50; revised 4/23/58 and 1/29/63.)

Sec. 7-12. - Abandoned or sunken vessels as nuisance.

No vessel or other object, shall be abandoned, sunk, or otherwise placed where it may constitute a menace to navigation or to moored vessels. Any vessel or other object so placed may be removed in accordance with the procedures set forth in Sections 20(a) and 20(b) of the Mooring Regulations, by the Selectmen after reasonable notice to the owner, if known, or not known, after such notice has been posted on the vessel or other object for a reasonable length of time. The expense of such removal shall be paid by the owner of, and shall be a lien upon, such vessel or other object.

(Ords. & Regs., § 16-5, 4/18/50; revised 4/23/58 and 1/29/63.)

Sec. 7-13. - Harbor inspectors.

For the purpose of regulating the mooring of vessels as provided below, the Selectman shall appoint volunteer harbor inspectors for the different harbor areas.

(Ords. & Regs., § 16-6, 4/18/50; revised 4/23/58 and 1/29/63.)

Sec. 7-14. - Mooring locations; approval required.

The locations, type and adequacy of moorings to be placed within harbor areas must be approved before placement by the Dockmaster or volunteer harbor inspectors as appointed by the Selectman. No permanent moorings or those intended to remain in place for the duration of a normal boating season shall be placed until such inspection and approval. The Dockmaster may require a mooring to be moved to a new location approved by him whenever in his judgment the safety of the other vessels or minimum use of the area so requires.

(Ords. & Regs., § 16-7, 4/18/50; revised 4/23/58 and 1/29/63.)

Sec. 7-15. - Mooring plans.

Any plan of mooring areas and of segregation of vessels by type and length in the interest of boat safety and maximum use of available anchorage areas shall conform as far as possible to mooring plans prepared and made available by the Department of Public Works, Boat Harbors Office.

(Ords. & Regs., § 16-8, 4/18/50; revised 4/23/58 and 1/29/63.)

Sec. 7-16. - Anchors.

In general, vessels over eighteen (18) feet in length shall have mushroom anchors with chain and pendants in sound condition and of size, weight and length considered sufficient to hold the attached vessel securely in a heavy blow. In general vessels under eighteen (18) foot in length shall have moorings
of recognized type anchors or anchor devices and pinnacles of sound condition, both of size, weight, and
length considered sufficient to hold the attached vessel securely in a heavy blow.

(Ords. & Regs., § 16-9, 4/18/50; revised 4/23/58 and 1/29/63.)

Sec. 7-4213. Registration of vessels; obtaining mooring information.

(a) No vessel shall store, launch, moor, or make use of a municipal boating facility unless the vessel shall
have been registered with the Department of Parks and Recreation, Marine and Facility Operations
Division, Public Works, Boat Harbors Office.

(b) Information regarding mooring within the inner harbor including names of the harbor inspectors, may
be obtained at the Department of Public Works, Boat Harbors Office or at the following harbor-inspector
headquarters:

<table>
<thead>
<tr>
<th>Harbor</th>
<th>Office Location</th>
</tr>
</thead>
<tbody>
<tr>
<td>Byram-River &amp; Byram</td>
<td>Dockmaster's Office</td>
</tr>
<tr>
<td></td>
<td>Locker Building, Byram Park</td>
</tr>
<tr>
<td>Greenwich Harbor</td>
<td>Areas 1, 2, 3, 4 (Mooring Plan)</td>
</tr>
<tr>
<td></td>
<td>Dockmaster's Office</td>
</tr>
<tr>
<td></td>
<td>Locker Building, Greenwich Island</td>
</tr>
<tr>
<td>Area 5</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Indian Harbor-Yacht Club</td>
</tr>
<tr>
<td></td>
<td>Riverside Yacht Club</td>
</tr>
<tr>
<td>Cos Cob Harbor</td>
<td>North to southerly end of Power</td>
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<tr>
<td></td>
<td>House Dock</td>
</tr>
<tr>
<td></td>
<td>Dockmaster's Office, Strickland Oak,</td>
</tr>
<tr>
<td></td>
<td>Small Boat Basin</td>
</tr>
<tr>
<td>Greenwich Cove &amp;</td>
<td>Dockmaster's Office</td>
</tr>
<tr>
<td>Tomoe Grees</td>
<td>Locker Building, Greenwich Point</td>
</tr>
<tr>
<td>Lucas Point Area</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Lucas Point Association</td>
</tr>
</tbody>
</table>

(Ords. & Regs., § 16-40, 4/18/50; revised 4/23/58 and 1/29/63.)
Sec. 7-1614. - Basketball on Sundays.

Professional basketball may be engaged in on Sundays within the town in accordance with the General Statutes.

(Ords. & Regs., § 14-A-1, 12/8/58.)

Sec. 7-1615. - Possession or consumption of alcoholic liquor by minors on public property unlawful.

(a) It shall be unlawful for any minor to possess or consume any alcoholic liquor while upon or within the premises of any public highway, street, sidewalk, alley or other public way, parking lot, park, playground, beach, boating facility, recreation place or facility, school or school ground or any other area, place, building, structure or property owned, leased by or under the control of the town.

(b) For the purpose of this section, "alcoholic liquor" and "minor" shall have the same meanings as in the Liquor Control Act, Sec. 30-1 et seq., as amended, of the General Statutes.

(c) Any person violating any of the provisions of this article shall be guilty of an infraction and shall be subject to a fine not to exceed ninety dollars ($90) for each offense, which fine shall be payable to the Clerk of the Superior Court.

(3/10/86, §)

ARTICLE 1B. - MOORINGS

Sec. 7-16. - Definitions.

As used in this Article 1B:

(1) Greenwich Harbors Area shall mean the area of municipal harbor management jurisdiction of the Town of Greenwich as defined in Section 307 of the Town Charter and the Harbor Management Plan of the Town of Greenwich.

(2) Harbor Management Commission shall mean the Harbor Management Commission of the Town of Greenwich.

(3) Mooring Regulations shall mean the Regulations For Mooring And Anchoring Vessels in The Greenwich Harbors Area, adopted by the Harbor Management Commission and the Board of Selectmen, and as amended from time to time.

(4) Mooring shall mean the place where, or object to which, a vessel can be made fast by means of mooring tackle so designed that, when such attachment is terminated, some portion of the tackle remains below the surface of the water and is not under the control of the vessel or its operator.

Sec. 7-1417. - Mooring Permits; locations; approval required.

No person shall moor a vessel in the Greenwich Harbors Area without first obtaining a permit in accordance with the Mooring Regulations. The locations, type and adequacy of moorings to be placed within harbor areas must also be in accordance with and following such inspections and approvals as required by the Mooring Regulations, approved before placement by the Dockmaster or volunteer harbor inspectors as appointed by the Selectmen. No permanent moorings or those intended to remain in place for the duration of a normal boating season shall be placed until such inspection and approval. The
Dockmaster/Harbor Master may require a mooring to be moved to a new location approved by him whenever in his judgment the safety of the other vessels or maximum use of the area so requires.

(Ords. & Regs., § 16-7, 4/18/50; revised 4/23/58 and 1/29/63.)

Sec. 7-1518. - Mooring plans.

Any plan of mooring areas and of segregation of vessels by types and length in the interest of boat safety and maximum use of available anchorage areas shall conform to the Mooring Regulations including any Greenwich Harbors Area Mooring Plan adopted by the Harbor Management Commission, as far as possible to mooring plans prepared and made available by the Department of Public Works, Boat Harbors Office.

(Ords. & Regs., § 16-8, 4/18/50; revised 4/23/58 and 1/29/63.)

Sec. 7-1619. - Answers, Mooring Tackle.

Mooring tackle shall be in sound condition, in conformance with the Mooring Regulations, and sufficient to hold the attached vessel securely in a heavy blow.

In general, vessels over eighteen (18) feet in length shall have mushroom anchors with chain and pendants in sound condition and all of size, weight and length considered sufficient to hold the attached vessel securely in a heavy blow. In general vessels under eighteen (18) feet in length shall have moorings of recognized type, anchors or anchor devices, and pendants of sound condition, both of size, weight, and length considered sufficient to hold the attached vessel securely in a heavy blow.

Sec. 7-20. - (Reserved)

Sec. 7-21. - (Reserved)

ARTICLE 2. - PARKS AND RECREATION PLACES.

Sec. 7-22. - Definitions.

For the purposes of this chapter, the following terms, phrases and words shall have the meaning given herein:

(a) Director is the Director of Parks and Recreation of the town.

(b) Park is a town owned park, parkland, playground, beach, boating facility, recreation place or facility, open space or any other area, place, buildings or structure in the town owned or used by the town and devoted to active or passive recreation.

(c) Person may be extended to mean any person, firm, partnership, association, corporation, company or organization of any kind.

(d) Public means town owned as opposed to privately owned.

(e) Town is the Town of Greenwich, Connecticut.

Sec. 7-23. - Park property.

(a) No person shall willfully mark, deface, disfigure, injure, tamper with or displace or move any building or structure or any part or parts thereof or the equipment or furnishings thereof, bridges, tables, benches, fireplaces, railings, paving or paving material, waterlines or other public utilities or parts or
appurtenances thereof, signs, notices, stakes, posts, boundary markers, fences or other structures or equipment, facilities or town or park property or appurtenances whatsoever, either real or personal.

(b) No person shall dig or remove any sand, soil, rock, stones, trees, shrubs, plants, grass, downtimber or other wood or materials or make any excavation by tool, equipment or other means or agency.

(c) No person shall damage, cut, carve, transplant or remove any grass, plant or tree or injure the bark thereof or pick the flowers or seeds of any grass, plant or tree. Nor shall any person attach any rope, wire or other contrivance to any tree or plant. No person shall dig in or otherwise injure or impair the natural beauty or usefulness of any area.

(d) No person shall climb, walk, stand or sit upon any tree, monument, fountain, railing, fence or any other equipment, furnishings or structure in a park not designed or customarily used for such purposes.

(e) Nothing herein shall prevent the Director or his authorized agents from carrying out proper maintenance of a park or constructing facilities and improvements as authorized by responsible town agencies.

Sec. 7-24. - Fish and wildlife.

(a) No person shall maliciously harm, frighten or harass any fish or wildlife; nor shall he remove, collect, or have in his possession, any wildlife or the eggs or nest of any wildlife.

(b) No person shall give or offer or attempt to give any fish or wildlife any poison or any other known noxious substance.

(c) Fishing, including the use of nets or seines, shall be permitted with proper licenses only in those waters designated by the Director or his authorized agents.

(d) No person shall hunt, trap or pursue wildlife at any time, and no person shall use firearms, air rifles, spring guns, bows and arrows, slings or any kind of trapping device or any other weapons or explosives to frighten, injure or kill wildlife, except for the purpose of wildlife management as authorized by the Director, in consultation with the Conservation Director, and approved by the Board of Selectmen.

(e) Nothing herein shall prevent the Director or his authorized agents from taking measures that the Director, in consultation with the Conservation Director, and approved by the Board of Selectmen, deems to be in the interest of wildlife management, research, monitoring or education.

(f) The foregoing provisions of this Section 7-24 shall apply only in Parks, as defined in Section 7-22(b).

(RTM. 9/17/2007.)

Sec. 7-25. - Pets.

No owners keeper or person having charge of a dog or other animal shall permit or allow or be responsible for permitting or allowing such dog or animal to run loose or to roam at large at any time upon any park or to injure, chase, harass or otherwise disturb any person or any species of wildlife. Nothing herein shall prevent the Director from prohibiting dogs or other animals from specific parks, recreational places or facilities, buildings or structures or any part thereof.

Sec. 7-26. - Picnicking and camping.

(a) No person shall picnic or lunch in an area other than those designated for the purpose, nor shall he fail to obey directions of the Director or his authorized agent when issued to prevent congestion and secure maximum use of such areas.

(b) No person shall use any portion of the picnic areas or any building or structure therein for the purpose of picnicking to the exclusion of other persons. Nor shall any person use such area and facilities for an unreasonable time if facilities are crowded, except as expressly permitted by the Director or his authorized agent.
(c) No person shall leave a picnic area before any fire lighted or used by him is completely and properly extinguished.

(d) No person shall camp or erect a tent in areas other than those designated for camping and unless a special permit has been obtained from the Director or his authorized agent.

Sec. 7-27. - Sanitation.

1. All persons shall use only such restrooms as provided in a park and shall cooperate in maintaining restrooms in a neat and sanitary condition.

2. No person shall dress or undress in any portion of any park except in buildings or areas designated for such purpose.

3. No person shall throw, discharge or otherwise place or cause to be placed in any streams, springs, ponds, fountains or any other waters, natural or artificial, any substance, matter or thing, liquid or solid, which will or may result in the pollution of said waters.

4. No person shall dump or deposit bottles, broken glass, ashes, paper, plastics, boxes, cans, dirt, rubbish, water, garbage, rubbish or other trash or refuse in a park, except as provided in Section 6.5 hereof.

5. No person shall leave any trash or refuse that may originate from picnicking or other activities, except in proper receptacles provided for the purpose. Where receptacles are not provided, all refuse or trash shall be carried away from a park by the person responsible for its presence and properly disposed of elsewhere.

6. The use of public drinking faucets for any washing purposes is prohibited.

Sec. 7-28. - Conduct and Behavior.

1. No person shall swim, bathe, float or wade in any spring, stream, pond or any other waters, natural or artificial, except at such times and in such places as the Director or his authorized agent may designate by proper signs or notices or as specifically authorized by a special permit issued by said Director or agent.

2. No person shall take part in or abet the playing of any games involving horseshoes, arrows, stones, balls or other propelled objects, except in areas designated for such activities.

3. No person shall ride a horse, except on designated bridle paths. No riding of horses to a stream or pond shall be permitted. No person shall allow his horse to graze or go unattended.

4. No person shall hike or walk in a nature study area or areas where educational and scientific activities or experiments are carried out, except along paths and trails laid out and marked accordingly.

5. No person shall use boats or canoes on any park waters or waterways, except upon special authority of the Director.

6. No person shall go onto the ice on any of the ponds, streams, springs or any other waters, natural or artificial, except as such areas are designated for skating and ruled safe by the Director or his authorized agents.

7. No person shall engage in motorized toy or model aviation, model boating or model automotoring, except at such times and at such places designated or maintained therefor by the Director or his agent.

8. No person shall interfere with various recreational programs as may be sponsored by the town.

9. No person shall enter or be in a park under the influence of alcohol or drugs.

10. Consumption or possession of alcoholic beverages by persons under eighteen (18) years of age is prohibited, unless said minor is accompanied by a parent or guardian and said parent or guardian has expressed his or her consent to said consumption and assumes all responsibility therefor.
11. No one shall build or attempt to build a fire, except in fireplaces at picnic areas or at such other locations as may be specifically permitted by the Director or his authorized agent.

12. No person shall drop, throw or otherwise scatter matches, burning cigarettes or cigars or other burning material within a park.

13. No persons shall solicit contributions for any purpose, whether public or private.

14. No person shall use loud, boisterous, threatening, abusive, insulting or indecent language or engage in any disorderly conduct or breach of the peace.

15. No person shall expose or offer for sale any article or thing, advertise or call attention to any article or service or post signs of any nature in any location, except as expressly permitted by the Director or his authorized agent.

16. No person shall use any public address system or amplifying equipment, except as expressly permitted by the Director or his authorized agent.

17. No person shall use any mechanical, magnetic, electrical or other device constructed or designed for the purpose of locating or discovering any lost, abandoned or mistaid articles or goods in, under or upon said areas, except as authorized by the Director.

18. No person shall bring into a park, have in his possession in a park or use in a park beer in kegs or in other containers having a capacity in excess of one (1) liter, except when specifically authorized by the Director under a valid permit issued pursuant to Section 7-31 or Article 3, Section 7-51.

19. No person shall have, use or operate any aircraft in a park, except as expressly authorized by the Director. The word "aircraft" includes any contrivance now known or hereafter invented, used or designed for flight in the air. The word "aircraft" includes gliders, helicopters and lighter-than-air dirigibles and balloons capable of carrying passengers or cargo.

(7/27/1982; 4/22/1983.)

Sec. 7-29. - Traffic.

1. No person shall operate any vehicle on any trail or road in a park except to and from parking areas or as expressly permitted by the Director or his authorized agent. The use of minibikes, snowmobiles or unlicensed vehicles is expressly prohibited in all town parks.

2. No person shall fail to obey the directions of any traffic officers or town employees authorized and instructed to direct traffic in a park.

3. No person shall attempt to stop or stop by any visible or audible sign or signal any vehicle for the purpose of soliciting a ride from the driver of such vehicle.

4. No person shall operate any vehicle in a park in excess of the posted speed limit or, where not posted, in excess of fifteen (15) miles per hour.

5. No person shall operate any vehicle except in accordance with the state motor vehicle laws regarding equipment and operation of vehicles, except as provided herein.

6. No person shall wash, clean, paint, maintain or make repairs to any motor vehicle in any park.

7. No person shall park a motor vehicle other than in a designated parking area except as expressly permitted by the Director or his authorized agent.

Sec. 7-30. - Operating Policies.

1. In accordance with No. 124 of the Special Acts of 1919, as amended, and recognizing that public parks, recreation places or facilities have been acquired and constructed by the Town using its own funds for the use of the inhabitants of the Town, and are operated and maintained by the Town using its funds for the use of its inhabitants, and further recognizing that said parks, recreation places, or
facilities have a limited capacity and are insufficient to accommodate all persons and to avoid excessive congestion, prevent breakdown, collapse and deterioration of said parks, recreation places or facilities, to protect the environment and prevent further ecological destruction, to encourage the acquisition and construction of additional parks, recreation places or facilities by the Town and to promote health, comfort, convenience and welfare, only inhabitants of the Town may enter, remain upon or use parks, recreation places or facilities of the Town except for Mianus River Park, which is also open to inhabitants of the City of Stamford and also except for guests of inhabitants of the Town pursuant to this ordinance and other applicable laws. ordinances and regulations promulgated by the Director.

2. Hours of opening and closing of each park, recreation place or facility or any part thereof shall be determined by the Director. No person shall enter or remain in a park, recreation place or facility or part thereof during the hours that same is closed, except as permitted by the Director or his authorized agent or as a part of a program approved or sponsored by the Town.

3. All or any part of a park, recreation place or facility may be declared closed to the public, either entirely or for particular uses, by the Director or his authorized agent at any time and for any interval of time, either temporarily or at regular and stated intervals.

4. No persons shall use in any manner whatsoever any park property, or any part thereof for any illegal, immoral or bawdy purpose, or for any purpose in violation of any federal, state or municipal law, ordinance, rule or regulation of the Director now in effect or hereafter enacted or adopted.

5. Fees, if any, for the use of Town parks, recreation places, facilities or activities shall be established by the Director subject to prior approval of the Selectmen.

6. Nothing herein contained shall be deemed to limit the power of the Director to promulgate regulations respecting recreational facilities and activities of the Town, including but not limited to the use of playgrounds, golf courses, tennis courts, platform tennis courts, skating rinks, bowling greens, community centers and Greenwich Civic Center, subject to prior approval of the Selectmen. No person shall enter, use, remain in or upon any Town park, recreation place, facility or activity except upon payment of the required fees, if any, and in accordance with the aforesaid regulations.

Sec. 7-31. - Permits.

1. A permit, available to Greenwich inhabitants only, shall be obtained from the Director or his authorized agent for the following purposes:
   a) Reservation of an area or place in a park for special or private group use.
   b) Use of a park by groups in excess of twenty-five (25) persons.
   c) Performance of scientific experiments or activities on a continuing basis.
   d) Performance of special programs of a recreational, educational or conservation nature by private groups of Town inhabitants.
   e) Relief from these regulations where permitted such as parking, building fires in certain locations, operation of vehicles, camping activities, sale of refreshments or other items, fishing or sailing events.

2. Permits do not apply to and shall not be issued for the reservation or use of designated swimming or bathing beach areas except for specified use in conjunction with overnight camping permits.

3. Any permit so issued involving or related to the use of any wooded or treed area shall become void upon official State closing of woodlands or if in the opinion of the Fire Marshall the fire hazard warrants such action, or if the Director determines hazard to life or property exists or is imminent.

4. Each permit shall be valid only on the day or days for the hour or he for the stated use in the particular part or parts of the park, recreation place facility designated in the permit.
5. The person to whom a permit is issued, by accepting said permit, specifically agrees to be liable for and to indemnify the Town against the expense of repairs of any and all damage to the park, recreational place or facility and to Town property caused by and all use of said park, recreational place or facility under said permit.

6. An applicant shall furnish to the Director at least three (3) days prior to the date of use a bond in the amount determined by the Director, but not less than $250.00, duly executed and acknowledged by the applicant with a responsible surety satisfactory to the Director, which bond shall be in a form satisfactory to the Town, to insure payment for all expenses incurred by the Town directly attributable to and caused by use under the permit including, but not limited to, repair of damage caused by said use, cleanup of litter and trash, use of extra personnel, and expense or damage caused by breach of Town ordinances, rules and regulations, and conditioned upon faithful compliance with the ordinances, rules and regulations pertaining to the use of said park and the conditions set forth in the permit. The requirement of a bond may be waived by the Director, if in his judgment based upon prior experience with the applicant, said bond is unnecessary to insure the foregoing expenses and responsibility.

7. The application for a permit must be submitted to the Department of Parks and Recreation at least five (5) full business days prior to the date of requested use.

8. Upon request by the Director, the applicant for a permit shall furnish him at least three (3) business days prior to the date of requested use the names and ages of all persons who will be using the park under the requested permit.

9. The application for a permit shall be in a form prescribed by the Director and shall include, under oath if requested:
   a) Name and address of the applicant;
   b) Name and address of the person sponsoring the activity, if any;
   c) Day or days and hours for which the permit is desired;
   d) The park and particular area thereof for which such permit is desired;
   e) Estimate of the anticipated attendance or number of persons participating;
   f) Description and purpose of the proposed activity;
   g) Any other information required by the Director or his authorized agent necessary to determine whether a permit should be issued.

10. The Director or his authorized agent may issue a permit if in his judgment, he finds
    a) That the proposed activity or use will not interfere with or detract from the general enjoyment of the park by others entitled to use same;
    b) That the proposed activity or use will not entail unusual or extraordinary expense to the Town;
    c) That the area or facilities desired have not been reserved for other use at the time requested in the application;
    d) That the proposed activity or use will not cause damage to the park or tend to cause violations of ordinances or regulations;
    e) That the proposed activity or use is not substantially for the purpose of advertising, profit-making, or fund-raising.

11. The person to whom a permit is issued, by accepting said permit specifically agrees to be liable for, and to indemnify the Town against any and all loss, damage, or injury sustained by any person whatever by reason of the negligence of the person or persons to whom such permit shall have been issued, or by any persons under the supervision and control of said permit holder.

12. Any person using said park under a permit shall be bound by the scope of the permit, any conditions set forth in the permit and all applicable Town ordinances, rules and regulations.
13. No person shall fail to produce and exhibit any permit, which he claims to have, upon request of the Director or his authorized agent who shall desire to inspect the same for the purpose of enforcing compliance with any ordinance or regulation.

14. No person shall disturb or interfere unreasonably with any person occupying any area or participating in any activity, under the authority of a permit.

15. The Director or his authorized agent shall have the authority to immediately revoke a permit upon finding of violation of any ordinance, rule or regulation, condition of the permit, or for good cause shown.

16. The Director, by regulation, may waive or vary any of the provisions of this Section, subject to prior approval of the Selectmen, with respect to the use of golf courses, tennis courts, platform tennis courts, skating rinks, community centers and Greenwich Civic Center.

Sec. 7-32. - Other ordinances and rules apply.

Nothing herein contained shall be deemed to exempt any person from the application of any other applicable Town ordinance, rule or regulation not to limit the authority of the Director or the Selectmen to revoke or suspend the privileges of any person found violating such other law, rule or regulation.

Sec. 7-33. - Severability.

If any clause, sentence, paragraph or part of this ordinance, or the application thereof to any person or circumstances, shall be adjudged by any Court to be invalid, such judgment shall not affect, impair or invalidate the remainder thereof or the application thereof to other persons and circumstances but shall be confined in its operation to the clause, sentence, paragraph or part thereof, and the persons and circumstances directly involved in the controversy in which such judgment shall have been rendered.

Sec. 7-34. - Penalties.

1. Any person violating any of the provisions of this ordinance shall be subject to a fine not to exceed twenty-five ($25.00) dollars for each offense. Each violation of a separate section of this ordinance shall be considered a separate offense and shall not merge with a violation of any other section of this ordinance. Each violation continuing more than one day shall constitute a separate offense for each day said violation continues.

2. The Director or his authorized agent may eject from a park, recreation place or facility and may confiscate any card, pass, permit or license issued for entrance to or use of any park, recreation place or facility of any person acting in violation of any provisions of this ordinance. The Director may suspend for a period of up to one year without the refund of any fee paid therefor, all rights and privileges and permits to use Town-owned parks, recreation places and facilities of any person violating any of the provisions of this ordinance or regulation duly issued by the Director pursuant to this ordinance who:
   a) after notice by an authorized person does not immediately cease, correct or rectify any such violation, or
   b) repeats a violation or violations after notice by an authorized person of a previous violation, or
   c) fails to pay upon demand, charges and fees incurred for the use of Town facilities and all expenses incurred by the Town caused by his violation of the ordinance, or

3. Any person obtaining a card, pass or any permit or the admission of a guest by the making of a false statement under oath shall have any and all rights and privileges to:
   a) use the parks, recreation places or facilities.
   b) have guests at parks, recreation places or facilities.
   c) obtain a card, pass or any permit, for use of parks, recreation places facilities.
suspended for a period of one year from the date his beach pass and all permits and any beach pass and permits obtained by the making of a said false, statement shall be surrendered to the Director or his authorized representative. No fees shall be returnable.

4. The Director or his authorized agent may seize and confiscate any property, thing, or device in park which is brought in or used in violation of any provision of this ordinance.

5. The provisions of this Section shall not affect or be deemed to limit any other penalty or remedy provided herein or by the provisions of any other applicable law, ordinance or regulation.

ARTICLE 3. - BEACHES AND RECREATION PLACES.

Sec. 7-35. - Definitions.

For the purposes of this ordinance, the following terms, phrases and words shall have the meaning given herein:

a) "Beach" includes Greenwich Point, Little Captains Island (Island Beach), Great Captains Island and Byram Park Beach and including all buildings, improvements, structures and facilities of each.

b) "Director" is the Director of Parks and Recreation of the Town.

c) "Person" may be extended to mean any person, firm, partnership, association, corporation company or organization of any kind.

d) "Public" means Town owned as opposed to privately owned.

e) "Town" is the Town of Greenwich, Connecticut.

Sec. 7-36. - Purpose.

Pursuant to the Charter of the Town and recognizing that public beaches, recreation places and facilities have been acquired and constructed by the Town using its own funds for the use of the inhabitants of the Town and are operated and maintained by the Town using its funds for the use of its inhabitants, and further recognizing that said beaches, recreation places and facilities have a limited capacity and are insufficient to accommodate all persons and to avoid excessive congestion, prevent breakdown, collapse and deterioration of said facilities and places, to protect the environment and prevent further ecological destruction, to encourage the acquisition of additional beaches, recreation places and facilities by the Town and to promote health, comfort, convenience and welfare, only inhabitants of the Town may enter, remain upon or use public beaches, recreation places and facilities except for guests of inhabitants of the Town pursuant to this ordinance and other applicable laws, ordinances and regulations promulgated by the Director.

Sec. 7-37. - Beach passes.

Beach passes may be obtained by inhabitants of the Town from the Director pursuant to regulations and fees prescribed by him.

Sec. 7-38. - Entry limited.

No person shall enter upon or be permitted on any beach without a duly issued beach pass except as herein provided.

Sec. 7-39. - Guests.

Subject to the payment of guest fees and regulations of the Director, each family of inhabitants residing at the same address may obtain admittance of not more than eight (8) guests on any one day to any Town owned beach or recreational place, provided such guests are actually visiting with said family's residence and provided an inhabitant member of said family, who holds a valid beach pass, accompany said guests.
and remains with them at the facility. The word family used herein means any number of persons living together as a single housekeeping unit or one person living in a single housekeeping unit.

Sec. 7-40. - Swimming Confined.

Bathing or swimming at beaches shall be confined to those areas designated by the Board of Selectmen and at such times as posted by the Director. No person shall swim beyond or outside of such designated areas or at times other than at posted times.

Sec. 7-41. - Dressing in public.

No person shall dress or undress in any portion of any beach except in buildings designated for such purposes by the Director. The removal of outer garments placed over bathing attire shall not be considered a violation of the provisions of this section.

Sec. 7-42. - Use of swimming area.

In any area designated by the Board of Selectmen as a swimming or bathing beach area or the waters thereof, no person shall:

a) Engage in any athletic game, sport or contest, except swimming or bathing, on any portion of any such areas, except in areas designated for that purpose by the Director;

b) Use of any inner tubes, rafts, boat cushions, kick boards, surf boards, or artificial means of body flotation of any kind upon such waters, except life saving jackets or vests approved by the United States Coast Guard, and worn in the approved manner;

c) Fish, angle, or spearfish;

d) Use scuba diving equipment except for supervised instruction authorized by the Director. Equipment includes masks, fins, snorkels or tanks.

Sec. 7-43. - Fires restricted.

No person shall light, kindle, or use any fire on any portion of any beach except in areas designated by the Director, and except in approved receptacles or in receptacles installed by the Director for this purpose.

Sec. 7-44. - Animals prohibited - leash only.

No owner, keeper or person having charge of an animal shall take such animal onto any portion of any beach or permit or allow such animal to enter upon any portion of any beach from April 1 to November 30 inclusive, of any year. No owner, keeper or person having charge of a dog shall permit or allow such dog to run loose or to roam at large at any time upon any beach or to chase harass or otherwise disturb any bird or other species of wildlife.

Sec. 7-45. - Reserved.

Editor's note—During the Representative Town Meeting of September 17, 2007, Section 7-45, pertaining to the prohibition of disturbing wildlife, was deleted. User is directed to Section 7-24 for provisions pertaining to fish and wildlife.

Sec. 7-46. - Traffic and parking.

Special Officers may have charge and control over all vehicular and pedestrian traffic on the roads or drives of Greenwich Point, and all persons shall at all times heed and comply with directions of said Special Officers indicated by gesture or otherwise, in using said roads or drives, and shall further comply with the directions on traffic signs along the route of the roads, drives, or parking areas in Greenwich Point. The
directions on such traffic signs may be disregarded only on order of an officer. In parking areas all persons shall comply with the directions of the parking attendants. No vehicle shall drive off the improved or paved portion of any road or drive except by designated access drives or to and from a designated roadside parking area. Vehicles shall be parked only in designated areas and places.

Sec. 7-47. - Speed and use.

No person shall drive a motor vehicle at a rate exceeding fifteen (15) per hour, or use the beach drives and paths for driver instruction.

Sec. 7-48. - License plates.

A motor vehicle displaying license plates other than those of the State of Connecticut shall be presumed to be owned and/or operated by a person not a resident of the State of Connecticut and hence not an inhabitant of the Town. No such vehicle shall be permitted to enter upon any Town owned beach except with a permit as set forth below in this section. No person shall operate a motor vehicle on any Town owned beach unless said vehicle shall properly display State of Connecticut license plates, except that a permit permitting such a vehicle to be operated on said Town property may be obtained by the owner or licensee of said vehicle from the Director or his authorized agent. Presentation of adequate proof as determined by the Director that said owner or licensee is an inhabitant of the Town and holds a valid beach pass shall be required for the obtaining of such permit. No person shall fail to produce and exhibit such permit, which he claims to have, upon request of the Director or his authorized agent. Nothing in this section shall be construed to limit or waive compliance with any other section of this ordinance or any other law, ordinance, rule or regulation.

Sec. 7-49. - Islands hours of use.

No person shall be permitted on Little Captains Island (Island Beach) or Great Captains Island between the hours of 10:30 P.M. and 7:00 A.M. except by permit as hereinafter provided.

Sec. 7-50. - Prohibited Activities.

The following activities are prohibited on all Town owned beaches, recreation places and facilities and no person shall:

a) Consume or possess alcoholic beverages if he or she is under eighteen (18) years of age unless said person is accompanied by a parent or guardian and said parent or guardian has expressed his or her consent to said consumption and assumes all responsibility therefor;

b) Wash, paint, or repair motor vehicles;

c) Erect any tent, or camp or live in any beach area without written permission from the Director;

d) Expose or display for sale any goods or wares, solicit any contributions, or display any advertisement except upon specific written authority of the Board of Selectmen or the Director;

e) Swim to or from boats moored or standing beyond designated swimming areas;

f) Use any mechanical, magnetic, electrical or other device constructed or designed for the purpose of locating or discovering any lost, abandoned or mislaid articles or goods in, under or upon said areas, except as authorized by the Director;

g) Bring or carry any glass bottle, glass jar, glass drinking utensil or glass container into or use same in any designated swimming or bathing area or within two hundred (200) feet of same;

h) Litter, deface or damage any bathing beach of the facilities thereof.

Sec. 7-51. - Permits.

A. A permit available to Greenwich inhabitants only, shall be obtained from the Director or his authorized agent for the following purposes:
1. Reservation of an area or place on a beach, excluding designated swimming or bathing beach areas, for picnics, outings, clam bakes and other related special or private group use.

2. Use of a beach, excluding designated swimming or bathing beach areas, by groups in excess of twenty-five (25) persons, for picnics, outings, clam bakes and other related uses.

3. Performance of scientific experiments or activities on a continuing basis.

4. Performance of special programs of a recreational, educational or conservation nature by private groups of Town inhabitants.

5. Relief from these regulations where permitted such as parking, building fires in certain locations, operation of vehicles, camping activities, use of the beach beyond stated hours, sale of refreshments or other items, fishing or sailing events.

B. Permits do not apply to and shall not be issued for the reservation or use of designated swimming or bathing beach areas except for specified use in conjunction with overnight camping permits.

C. Any permit so issued shall become void upon official State closing of Woodlands or if in the opinion of the Fire Marshal the fire hazard warrants such action, or if the Director determines hazard to life or property exists or is imminent.

D. Each permit shall be valid only on the day or days and for the hour or hours and in the area or areas of the beach designated in the permit.

E. The person to whom a permit is issued by accepting said permit specifically agrees to be liable for and to indemnify the Town against the expense of repairs of any and all damage to the beach and to Town property caused by any and all use of the beach under said permit.

F. An applicant shall furnish to the Director at least three (3) days prior to the date of use a bond in the amount determined by the Director, but not less than $250.00 duly executed and acknowledged by the applicant with a responsible surety satisfactory to the Director, which bond shall be in a form satisfactory to the Town, to insure payment for all expenses incurred by the Town directly attributable to and caused by use under the permit including, but limited to, repair of damaged caused by said use, cleanup of litter and trash, use of extra personnel, and expense or damage caused by breach of Town ordinances, rules and regulations, and conditioned upon faithful compliance with the ordinances, rules and regulations pertaining to the use of said beach and the conditions set forth in the permit. The requirement of a bond may be waived by the Director, if, in his judgment, based on prior experience with the applicant, said bond is unnecessary to insure the foregoing expenses and responsibilities.

G. The application for a permit must be submitted to the Department of Parks and Recreation at least five (5) full business days prior to the date of requested use.

H. Upon request by the Director, the applicant for a permit shall furnish him at least three business days prior to the date of requested use the names and ages of all persons who will be using the beach or facilities under the requested permit.

I. The application for a permit shall be in a form prescribed by the Director and shall include, under oath if requested:

1) Name and address of the applicant;

2) Name and address of the person sponsoring the activity, if any;

3) Day or days and hours for which the permit is desired;

4) The beach and particular area thereof for which such permit is desired;

5) Estimate of the anticipated attendance or number of persons participating;

6) Description and purpose of the proposed activity;

7) Any other information required by the Director or his authorized agent necessary to determine whether a permit should be issued.
J. The Director or his authorized agent may issue a permit if in his judgment, he finds
1) That the proposed activity or use will not interfere with or detract from general enjoyment of the
   beach by others entitled to use same;
2) That the proposed activity or use will not entail unusual or extraordinary expense to the Town;
3) That the area or facilities desired have not been reserved for other use at the time requested in
   the application;
4) That the proposed activity or use will not cause damage to the beach or tend to cause violations
   of beach ordinances, rules or regulations;
5) That the proposed activity or use is not substantially for the purpose of advertising, profit-making,
   or fund-raising.

K. The person to whom a permit is issued, by accepting said permit specifically agrees to be liable for,
   and to indemnify the Town against any and all loss, damage, or injury sustained by any other person
   whatever by reason of the negligence of the person or persons to whom such permit shall have been
   issued, or by any persons under the supervision and control of said permit holder.

L. Any person using said beach under a permit shall be bound by the scope of the permit, any conditions
   set forth in the permit and all applicable Town ordinances, rules and regulations.

M. No person shall fail to produce and exhibit any permit, which he claims to have, upon request of the
   Director or his authorized agent who shall desire to inspect the same for the purpose of enforcing
   compliance with any ordinance or regulation.

N. No person shall disturb or interfere unreasonably with any person occupying any area or participating
   in any activity, under the authority of a permit.

O. The Director or his authorized agent shall have the authority to immediately revoke a permit upon a
   finding of violation of any ordinance, rule or regulation, condition of the permit, or for good cause
   shown.

Sec. 7-52. - Other ordinances and rules apply.

Nothing herein contained shall be deemed to exempt any person from the application of any other
applicable Town ordinance, rule or regulation nor to limit the authority of the Director or the Selectmen to
revoke or suspend the privileges of any person found violating such other law, rule or regulation.

Sec. 7-53. - Unauthorized use of guard designation.

No person shall wear or display any garment, swimsuit, emblem, badge, armband, label or article of
Clothing of any sort bearing the words "guard", "beach guard" or "life guard" or words of similar designation,
unless authorized by the Director.

Sec. 7-54. - Life guards may enforce.

Any life guard duly employed, authorized by the Director and on duty shall have the power and duty
to enforce the provisions of this ordinance and the provisions of every other applicable ordinance and
regulation, under and in accordance with regulations duly issued by the Director.

Sec. 7-55. - Refusal to obey life guard.

No person shall refuse to obey the order of any life guard while said life guard is on duty.

Sec. 7-56. - Penalties.

A. Any person violating any of the provisions of this ordinance shall be subject to a fine not to exceed
   twenty-five ($25.00) dollars for each offense. Each violation of a separate section of this ordinance
   shall be considered a separate offense and shall not merge with a violation of any other section of this
ordinance. Each violation continuing more than one day shall constitute a separate offense for each
day said violation continues.

B. The Director or his authorized agent may eject from a beach and may confiscate the beach pass or
any permit of any person acting in violation of this ordinance. The Director may suspend for a period
of up to one year without the refund of any fee paid therefor, all rights and privileges and permits to
use Town owned beaches, recreation places and facilities of any person violating any of the provisions
of this ordinance or regulation duly issued by the Director pursuant to this ordinance who:
1) After notice by an authorized person does not immediately cease, correct or rectify any such
violation, or
2) repeats a violation or violations after notice by an authorized person of a previous violation, or
3) fails to pay upon demand, charges and fees incurred for the use of Town facilities and all
expenses incurred by the Town caused by his violation of the ordinance, or
4) fails to reimburse the Town, upon demand, for the expense of all damage to Town property done
or caused by him.

C. Any person obtaining a beach pass or any permit or the admission of a guest by the making of a false
statement under oath shall have any and all rights or privileges to:
1) Use the parks or beaches,
2) Have guests at parks or beaches,
3) Obtain a beach pass, group permit, or non-resident motor vehicle permit suspended for a period
of one year from the date his beach pass and all permits and any beach pass and permits
obtained by the making of a said false statement shall be surrendered to the Director or his
authorized representative. No fees shall be refundable.

D. The provisions of this section shall not affect or be deemed to limit any other penalty or remedy
provided herein or by the provisions of any other applicable law, ordinance or regulation.

Sec. 7-57. - Severability.

If any clause, sentence, paragraph or part of this ordinance, or the application thereof to any person
or circumstances, shall be adjudged by any Court to be invalid, such judgment shall not affect, impair or
invalidate the remainder thereof or the application thereof to other persons and circumstances but shall be
confined in its operation to the clause, sentence, paragraph or part thereof, and the persons and
circumstances directly involved in the controversy in which such judgment shall have been rendered.

Article 4. - Vessels, Boating Facilities and Recreation Places.

Sec. 7-58. - Definitions.

For the purposes of this ordinance, the following terms, phrases and words shall have the meanings
given herein:

a. "Boating facility" or "recreation place" includes all Town owned approaches, parking lots and other
areas and facilities used in conjunction with or in connection with such boating facility or recreation
place.

b. "Director" is the Director of Parks and Recreation of the Town.

c. "Harbor Management Commission" shall mean the Harbor Management Commission of the Town
of Greenwich.

d. "Mooring" shall mean the place where, or object to which, a vessel can be made fast by means
of mooring tackle so designed that, when such attachment is terminated, some portion of the
tackle remains below the surface of the water and is not under the control of the vessel or its operator.

d. “Person” may be extended to mean any person, firm, partnership, association, corporation, company or organization of any kind.

g. “Public” means Town owned as opposed to privately owned.

“Vessel” means every description of watercraft used or capable of being used as a means of transportation on water.

Sec. 7-59. - Purpose.

Pursuant to the Charter of the Town and recognizing that public boating facilities and recreation places have been acquired, and constructed by the Town using its own funds for the use of the inhabitants of the Town and are operated and maintained by the Town using its funds for the use of its inhabitants, and further recognizing that said facilities and places have a limited capacity and are insufficient to accommodate all persons and to avoid excessive congestion, prevent breakdown, collapse and deterioration of said facilities and places, to protect the environment and prevent further ecological destruction, to encourage the acquisition of additional facilities and places by the Town and to promote health, comfort, convenience and welfare, only inhabitants of the Town may enter, remain upon or use public boating facilities and recreation places except guests of inhabitants of the Town pursuant to this ordinance and other applicable laws, ordinances and regulations promulgated by the Director.

Sec. 7-60. - Permit Required.

No person shall launch, moor or store a vessel at a Town owned boating facility, or recreation place unless said vessel shall have been first properly registered with an a permit obtained from the Director of Parks and Recreation under regulations and fees promulgated by the Director.

Sec. 7-61. - Certain trailers and motor vehicles prohibited.

No person shall drive, park or permit to remain upon a Town owned boating facility, or recreation place any boat trailer or motor vehicle used for the transportation of a nonregistered or improperly registered vessel to or upon a Town owned boating facility or recreation place.

Sec. 7-62. - Obtaining permits.

Permits for the use of Town owned boating facilities and recreation places may be obtained by the owner of any vessel from the Director in accordance with regulations established by him. Permits shall be non-transferable. No permits shall be issued if outstanding balances are owed to the Town Department of Parks and Recreation.

Sec. 7-63. - Taxes must be paid.

No permit for the use of Town owned boating facilities and recreation places shall be issued for a vessel upon which personal property taxes are due and unpaid to the Town.

Sec. 7-64. - Regulations and procedures to be followed and fees paid.

No person shall haul, launch, motor or store a vessel at any Town facility nor land or make fast a vessel to pontoons, landing floats, dock structures or outwater moorings except in accordance with regulations and procedures and upon payment of fees established by the Director or the Harbor Management Commission as applicable.

Sec. 7-65. - Securing vessels to landing floats limited.
No person shall secure a vessel to the pontoons of landing floats at Byram Shore, Grass Island, Cos Cob or Greenwich Point between November 15th and the following April 15th unless authorized by the Marine and Facility Operations office.

Sec. 7-66 - Storage of vessels limited.

No person shall store a vessel or leave a vessel stored at Byram Shore, Grass Island, Cos Cob or Greenwich Point between June 15th and September 1st of any year. Vessels left stored during this time period shall be subject to overtime storage fines.

Sec. 7-67 - Proper maintenance of vessels and moorings required.

(a) Owners of vessels and moorings shall be required to properly maintain same at all times. The owner of any craft or mooring which is improperly stored, secured, filled with water, sunk, or found in restricted shore areas or at outwater moorings in an unsafe condition may be notified by mail addressed to his last known address. The Division of Marine and Facility Operations will attempt to notify said owner by telephone. If corrective measures are not taken within 48 hours after the mailing of said notice or the giving of notice by telephone said vessel shall be removed and placed in a designated area, or removed by the Town of Greenwich. The owner or principal user of the vessel involved shall be liable for all expenses incurred.

(b) No vaneor shall store equipment or supplies on Town property to conduct commercial operations unless authorized by the Director or his agent.

Sec. 7-68 - Commercial and charter vessels, and signs advertising them, are prohibited.

Commercial vessels or vessels for hire (chartering) are prohibited from using Town owned boating facilities or recreation places. Signs advertising the rental of any vessel or other property are prohibited. No person shall cause any such commercial vessel or vessel for hire to use any said facility or place nor cause any such sign to be erected or placed.

Sec. 7-69 - Commercial fishing.

Commercial fishing (lobstering, etc.) is prohibited from any Town owned boating facility or recreation place. The storage of bait, traps, warp or other related gear on Town property is prohibited. No person shall cause any such commercial fishing or storage.

Sec. 7-70 - Owner or user accepts risk.

The use of wharfs, gangways, landing floats, ways, pontoons, small craft launching ramps, marine railways, lockers and all other related boating facilities and equipment shall be at the risk of the user or boat owner. The Town shall not be responsible for any loss or damage to any vessel or boating equipment or for any personal injuries resulting from such use. By accepting the benefit of the use of said facilities or by a permit holder accepting a permit, said user and said permit holder specifically agree that the assume all risk of using said facilities.

Sec. 7-71 - Swimming and fishing limited.

No person shall swim from bulkheads, dock structures, floating equipment or other areas not designated as bathing or swimming areas. No person shall fish from bulkheads, dock structures, landing floats, pontoons, boating equipment or shore line except and at times and in areas designated by the area Dockmaster.

Sec. 7-72 - Landing, mooring, anchoring, discharge of passengers limited.

No person shall land, beach, moor, tie or secure a vessel at any Town owned park, beach, recreation place or boating facility nor discharge persons or property onto same except at such places and at such times as authorized by the Director.
Sec. 7-73. - Landing, mooring or anchoring at private property.

No person shall land, beach, moor or anchor, tie or secure a vessel at any private property within the Town without the permission of the owner thereof.

Sec. 7-74. - Responsibility of owner to secure vessel.

The owner and user of a vessel shall have the duty and responsibility to insure that his vessel is adequately secured and proper chafing gear provided when dockside or in a position to damage other vessels or floating equipment so as not to damage said other vessels or floating equipment.

Sec. 7-75. - Living on vessel prohibited.

No person shall be permitted to live on any moored or stored vessel.

Sec. 7-76. - Depositing or dumping of refuse restricted.

No person in charge of or occupying a boat shall dump, throw or deposit any garbage, paper, bottle, can, plastic waste matter, debris or refuse matter of any kind or description into the water or upon any Town owned land or property except into designated upland refuse containers. All persons shall be subject to the laws and regulations of the State of Connecticut with respect to the discharge of waste material into the waters.

Sec. 7-77. - Boating fees, season, stickers.

Boating fees for the use of any facilities shall be payable in advance. The boating season shall be from April 15 to November 15. The winter storage shall be from September 1 to June 15. The boating fee shall cover the issuance of one use permit and one Town sticker (valid for one year from the date of April 15. Any vessel using Town owned boating facilities must display at all times a valid Town of Greenwich sticker on the port side at the stern of the vessel or vessels with a fixed windshield may display same on the port side in the lower left corner of said windshield.

Sec. 7-78. - Change of address or ownership.

Any person holding a valid permit for a vessel or having a vessel stored, moored, kept or left at a Town boating facility or recreation place who changes his address, or sells or otherwise disposes of said vessel shall notify the Department of Parks and Recreation, Division of Marine and Facility Operations, within fifteen days of said change of address, sale or disposal.

Sec. 7-79. - Maximum vessel length.

The maximum overall length of vessels hauled or stored at any municipal facility shall be determined by the Department of Parks and Recreation, Division of Marine and Facility Operations and limits may be varied from time to time as necessary in facilities occur.

Sec. 7-80. - Marine railway.

No person shall use the marine railway except under procedures and fees established by the Director.

Sec. 7-81. - Lockers.

Lockers may be rented in accordance with regulations and fees established by the Director on the condition that the Lessee assumes full responsibility for all contents of the rented locker and that the locker shall be vacated on or before November 15 of any season. No person shall store gasoline, smoke or do repair work in a locker building.

Sec. 7-82. - Storage cradles.
No cradles for storage jack stands and blocking will be furnished by the Town. Each boat owner will be required to furnish cradle, jack stands, and necessary blocking. All cradles, jack stands, trailers and blocking must be properly stored, at the direction of the Dockmaster, when not in use. Cradles, jack stands, trailers and blocking not removed or stored properly by June 15th will be impounded by the Town of Greenwich and disposed of and the owner or user will be responsible for all expenses incurred.

Sec. 7-83. - Prior approval for mooring or removal.

All labor necessary for hauling, launching, or storing or mooring of any vessel shall be furnished by the boat owner or his authorized agent. No person shall set or place any mooring without prior approval of the area dockmaster. Any such unauthorized mooring may be removed by the Town at the expense of the person claiming same.

Sec. 7-84. - Charges and fees, liens, sale of vessel.

All charges and fees made against the owner or user of any vessel for use of Town facilities and all expenses incurred by the Town for moving, hauling, mooring, or storing said vessel shall constitute a lien against said vessel and said vessel may be held to secure payment of such charges, fees and expenses. This remedy shall be in addition to any other remedies available to the Town for the collection of said charges, fees and expenses. There shall be no liability attached to any person or the Town for said holding of said vessel. The Town shall be entitled to satisfaction of said lien by enforced sale of said vessel to the highest bidder after said vessel shall have been so held for a period of at least sixty days. Notice of sale shall be advertised at least once in a local newspaper at least five days prior to the date of the sale, and the registered owner of the vessel shall be notified by mail at his last known address. The conduct of the sale shall be at the discretion of the Town of Greenwich. All proceeds of such sale shall apply, first to the lien satisfaction and sale expenses. The remaining balance, if any, must be claimed by the owner of the vessel within one year or otherwise it shall be deemed abandoned and shall become the property of the Town of Greenwich.

The Town, in lieu of proceeding under these regulations, may at its option dispose of any vessel after said sixty (60) day period pursuant to any provisions of the General Statutes, applicable to lost, unclaimed, or abandoned property.

Sec. 7-85. - Posting of ordinance.

This ordinance shall be posted in June and October at all Town docks and shall be deemed to have been duly accepted by any person mooring, storing, hauling or launching any vessel on any Town property or otherwise using Town owned boating facilities or recreational places.

Sec. 7-86. - Town vessels exempt.

The foregoing sections shall not apply to vessels owned by the Town.

Sec. 7-87. - Other ordinances and rules apply.

Nothing herein contained shall be deemed to exempt any person from the application of any other applicable Town ordinance, rule or regulation nor to limit the authority of the Director of the Selectmen to revoke or suspend the privileges of any person found violating such other law, rule or regulation.

Sec. 7-88. - Penalties.

A. Any person violating any of the provisions of this ordinance shall be subject to a fine not to exceed twenty-five dollars ($25.00) for each offense. Each violation of a separate section of this ordinance shall be considered a separate offense and shall not merge with a violation of any other section of this ordinance. Each violation continuing more than one day shall constitute a separate offense for each day said violation continues.
B. The Director of his authorized agent may eject from a boating facility or recreation place any person acting in violation of this ordinance. The Director may suspend for a period of up to one year without the refund of any fee therefor, all rights and privileges and permits to use Town owned boating facilities or recreation places of any person violating any of the provisions of this ordinance or regulation duly issued by the Director pursuant to this ordinance who:

a) after notice by an authorized person does not immediately cease, correct or rectify any such violation, or

b) repeats a violation or violations after notice by an authorized person of a previous violation, or

c) fails to pay upon demand charges and fees incurred for the use of Town facilities and all expenses incurred by the Town caused by his violation of the ordinance, or

d) fails to reimburse the Town, upon demand, for the expense of all damage to Town property done or caused by him.

C. The Director shall suspend for a period of one year without refund of any fees, all rights and privileges and permits to use Town owned boating facilities or recreation places of any person who obtains a permit or the use of a facility or recreation place by means of a false statement given under oath.

D. The provisions of this section shall not affect or be deemed to limit any other penalty or remedy (including liability for damages) provided herein or by the provisions of any other applicable law, ordinance or regulation.

Sec. 7-89. - Severability.

If any clause, sentence, paragraph or part of this ordinance, or the application thereof to any person or circumstances, shall be adjudged by any Court to be invalid, such judgment shall not affect, impair or invalidate the remainder thereof or the application thereof to other persons and circumstances but shall be confined in its operation to the clause, sentence, paragraph or part thereof, and the persons and circumstance directly involved in the controversy in which such judgment shall have been rendered. Nothing in this ordinance shall be interpreted or demand to conflict with the powers and duties of the Harbormaster.
January 21, 2019

Mr. Ed O’Donnell
Chief of Navigation
U.S. Army Corps of Engineers
New England District
696 Virginia Road
Concord, Massachusetts 01742-2751

Subject: The occasion of your retirement

Dear Mr. O’Donnell:

The Greenwich Harbor Management Commission (HMC) has learned of your pending retirement from the U.S. Army Corps of Engineers after 35 years of exceptional public service.

During its public meeting on December 19, 2018, the HMC discussed your vital assistance to the Town of Greenwich, including your planning assistance and then supervision of the successful Mianus River dredging project; your thoughtful advice and other assistance during preparation of the Town’s Harbor Management Plan; and, most recently, your guidance for planning a federal maintenance dredging project for the Greenwich Harbor navigation channel.

After discussing this matter, the HMC approved unanimously a motion to formally transmit its significant appreciation for your assistance and wise counsel on all matters concerning the federal navigation projects in the Greenwich Harbors Area; our congratulations for completing such a distinguished career; and our most sincere best wishes upon the occasion of your retirement.
Please accept also a more personal note. As you know, the HMC is a relatively young commission in terms of its service, having been established in 2013. When we started, many of us had little if any experience interacting with the state and federal agencies with authorities concerning management of our town’s navigable waterways. It is fair to say that we did not know what to expect from the Corps of Engineers when we began work on the Harbor Management Plan. We soon learned that we would receive professionalism, respect, and responsiveness from you and all Corps of Engineers personnel, and for that we are very grateful.

We trust that the leadership of the New England District is well aware of your dedication to the Corps of Engineers’ mission and of the high standard of professionalism you have set for others in the District.
We will miss working with you on future projects and wish you all the best during your well-deserved retirement.

Sincerely,

Bruce Angiolillo, Chairman
Greenwich HMC
(917) 622-0284 (mobile)
bruce.angiolillo@greenwichct.org.

Frank Mazza, Chairman
Greenwich HMC Dredging Committee
(203) 962-8799 (mobile)
mazza85indian@aol.com

cc:
Colonel William M. Conde, Commander and District Engineer, USACE New England District
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Application Review Committee Report

1/23/19 HMC Meeting

Bernard Armstrong, Chairman

Casey Mc Kee, Bruce Angiliillo

Finished business

2 Items completed

1/2/19 Rec’d DEEP License #201809903-LISGP for dock, seawall repairs for 73 Willowmere Circle, Riverside

1/11/19 Rec’d DEEP License# 201808943 for 9 Game Cock Rd, Greenwich to install concrete landing, ramp and float.

6 Open Items

1. Marache Dock Request for public hearing received by DEEP which conducted a Status Meeting including representatives of the HMC in Hartford on May 22, 2018. This was a preliminary meeting to a site visit and pre-hearing conference to be held in Greenwich on August 8, 2018 and a public meeting to be held in Greenwich on September 13, 2018.

   6/6/18 received a petition of Intervention by Susan Cohen

   6/13/18 received an Objection to the above petition of Intervention

   6/15/18 received Susan Cohen’s response to the above Objection.

   8/8/18 DEEP and HMC site visit/ and 9/13/18 Public Hearing

   9/24-26 DEEP Major Hearing in Hartford. Steadman and Armstrong attended.

   11/9/18 received DEEP notification that a permit to build dock has been issued

   11/9/18 received Post Hearing memorandum from Bruce Cohen.

   11/9/18 received Post Hearing memorandum from John Casey (attorney for Marache)

   This is all preliminary to the Hearing Officer making his ruling on the matter expected later this month. This can then be appealed to the DEEP Commissioner.

2. Eversource The HMC has deferred a review of this request until such time that the Town ‘s petition to revise the Siting Council’s decision is resolved.
3. WH House LLC

4/16/18 WH House LLC (109 Byram Shore Road) filed a Certification of Permission Application Form proposing to retain unauthorized davit and platform installed during reconstruction of pier. The HMC noted that the existing, unauthorized work pre-dates the Harbor Management Plan and does not affect coastal resources and therefore the HMC has no objection to the proposal.

4. Oneida Indian Harbor, LLC

5/11/18 Received a Certificate of Permission Application for substantial maintenance of existing waterfront structures, including a pier, gangway, floating dock, and pier foundation at 60 Oneida Drive, Greenwich. This application is consistent with the Harbor Management Plan with the understanding that the existing, unpermitted structures pre-date the Harbor Management Plan and do not have an adverse impact on coastal resources, including shellfish resources. Sent 6/26/18 Draft Certificate of Permission Application letter to DEEP.

5. 6/8/18 Rec’d Certificate of Permission application by Quatro Partners for 5 Meadow Place to retain and maintain an existing seawall and pier. Committee agreed that application is consistent with the Harbor Management Plan. Pending DEEP approval.

6. 12/17/18 Rec’d COP Application for Removal of Invasive Phragmites in Bruce Park, Greenwich. Coastal resources in Bruce Park are Greenwich Creek, tidal ponds and associated tidal marshes. Approved by HMC 12/19/18.

4 New Business

4 New Items to be reviewed and voted on at the 1/23/19 HMC Meeting

10/26/18 Draft Roger S. Baldwin Dredged Material Relocation. The size would be between 9000-25,000 cubic yards depending on depth and width considerations. A Frank Mazda action item.

12/1/18 rec’d General Permit Registration Form for a 4/40 dock at 7 Hendrie Drive in Old Greenwich, filed by Sharon and Ed Sunoo.

12/18/18 Rec’d DEEP Permit Consultation Form for 30 Oneida Drive, Greenwich to build a 4’x 55’ fixed steel pier. The pier will contain a 10’x10’ pier head and a kayak lift for safe access to GHA waters.

1/7/19 Rec’d DEEP Permit Consultation form to replace an existing pier, ramp and float on Wee Captain Island

No other permit actions were received by the HMC affecting the GHA since the December 19th meeting.