1. 6:00 P.M.  HMC Nov. Meeting Minutes - Draft

Documents:

HMC MEETING MINUTES 11-20-2019.PDF
DRAFT

Town of Greenwich
Harbor Management Commission
Meeting
November 20, 2019
6:00 P.M.
Employee Lounge, Town Hall

Minutes

Members in attendance:
Bruce Angiolillo
Mike Van Oss
Bernard Armstrong
Don Carlson
Bill Ingraham
Frank Mazza

Absent:
Lile Gibbons

Alternates:
Casey McKee
Skip Parker-1st meeting

Ex-Officio Members in Attendance:
Lt. Jim Bonney
Roger Bowgen
Brian Kerzner
Police Department
Shellfish Commission
Department of Parks & Recreation

Absent:
Sue Baker
Joseph Benoit
Katie DeLuca
Rick Loh
Ian MacMillan
John Toner
Sue Baker
Joseph Benoit
Katie DeLuca
Rick Loh
Ian MacMillan
John Toner
Conservation Commission
RTM
P & Z
Board of Parks & Recreation
Harbormaster
Board of Selectmen
Harbormaster
1. **Meeting called to order at 6:02 P.M. by Chairman Mike Van Oss**

2. **Casey McKee seated in place of Lile Gibbons**

3. **Approval of Minutes of the October 16, 2019 Regular Meeting**

   Motion to approve the Minutes of the October 16, 2019 Regular Meeting as amended, by Bruce Angiolillo, seconded by Casey McKee. Motion carried (Unanimous).

4. **Chairman’s Report**

   Chairman Van Oss reported the Stamford Harbor Commission is presently reviewing locations to find an alternate location for the Weeks Marine mooring.

5. **Greenwich Harbor Dredge Project**

   Frank Mazza presented the following resolution:

   Due to difficulties interpreting the 1985 regulations established by the Town to achieve compliance with the “open to all on equal terms” policy of the U. S. Army Corps of Engineers (USACE), as those regulations affect the Town’s Grass Island Marina, the Dredging Committee proposes that the HMC consider the following resolution for transmittal to the USACE:

   Whereas it is a policy of the Greenwich Harbor Management Plan to maintain compliance with the “open to all on equal terms: policy of the USACE; and

   Whereas the HMC is responsible for working with the USACE to achieve maintenance dredging of the federal navigation projects in the Greenwich Harbor Area, including the Greenwich Harbor Federal Navigation Project (FNP); and

   Whereas demonstrated compliance with the “open to all on equal terms” policy is necessary in order that the USACE may proceed with a federal maintenance dredging project; and

   Whereas the Town’s Grass Island Marina is located within the Greenwich Harbor FNP and “open to all on equal terms” policy; and
Whereas use of the marina’s boat slips currently is restricted to Town residents

Now Therefore be it resolved that the HMC recommends that the waiting list for use of the Grass Island Marina boat slips be made open to the general public without any restrictions based on town of residence, with the understanding that such action will achieve compliance with the “open to all on equal terms” policy and enable the USACE to proceed with maintenance dredging plans for the Greenwich Harbor FNP.

If this recommendation and understanding are acceptable to the USACE, the HMC will proceed with its best efforts to achieve this recommendation through action by the Greenwich Board of Selectmen.

A motion was made by Bruce Angiolillo, seconded by Don Carlson to approve this resolution. This resolution will be sent to the legal department to see if it is acceptable and consistent with the HMP. Motion carried, unanimous.

Chairman Van Oss thanked Frank Mazza for all his hard work on this project.

6. Finance Committee Report

Frank Mazza asked everyone to send him all requests for funding for next year’s budget.

Chairman Van Oss will work with Bill Ingraham to draft financial proposals for the mooring committee.

7. Mooring Committee Report

Bill Ingraham introduced Joanna Giorno, who will be working Penny on mooring applications. Bill reported mooring renewal letters are expected to go out in early January.

8. Application Review Committee

11/20/19 HMC Meeting
See attached report
No items were on the agenda for approval

Bernard Armstrong, Chairman
Casey Mc Kee, Bruce Angiolillo

Finished business

Two actions completed & will be removed from report.
1. 7/2/19 rec’d Certificate of Permission Application for 700 Steamboat Rd for waterfront improvements. Engineer Jill Pietropaolo. 7/24/19 Sent COP application letter to DEEP that this application was consistent with the Harbor Management Plan. 10/31/19 rec’d DEEP License# 201911397-COP

2. 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.
8/24-26 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.
3/8/19 Rec’d Intervening Party’s Exception to Proposed Final Decision and Request for Oral Argument for Application No. 2015-02692. 6/21/19 set as last day for all parties to submit their respective documents.
6/5/19 Rec’d Notice of Oral Arguments to be heard on 7/24/19 in Hartford. Armstrong and Steadman to attend.
7/9/19 Bruce Angiolillo clarified, in an email note, that the HMC does not have to intervene to express its concerns or judgement but may do both (provide written testimony (which it did) and may also intervene.
10/31/19 The GHMC received the Final Decision rendered by Susan K Whalen, Deputy Commissioner (DEEP) to support the Marache dock and commented that “To the contrary the Hearing Officer made it clear that the comments of the GHMC helped guide his decision making” PFD p16

Seven Open Items (pending DEEP action)

1 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.

2 Rec’d DEEP Permit Consultation form for Byram Harbor Marina to replace an existing 20x87 boat ramp with a new 20x98 boat ramp and floating dock. Also, to modify the stone retaining wall to add 20’. Engineer M. Taverna. Shellfish commission sees no adverse impact to shellfish areas. Recommended position. The Harbor Commission has no objection to proceeding with this permit application and finds this proposed activity consistent with the Harbor Management Plan. Letter sent 2/22/19. 4/15/19 rec’d copy of the published notice for the application for the proposed boat ramp at Byram Park. Now under review by DEEP.
3. 6/24/19 Sent out signed Pre-application approval letter and signed HMC Consultation Form to Matt Taverna et al for **89 River Road** marina.

4. 6/24/19 Sent signed Pre-application approval letter to Jill Pietropaolo at Race along with the signed Deep Permit Consultation Form (file **17 Byron Dock**).

5/21/19 rec’ed Certificate of Permission Application Form for **8 Eggleston Lane** to rebuild a stone seawall. Engineer Jim Bajek. See Dock application now permitted. 2 separate Permission Applications.

5. 7/29/19 Structures, Dredging & Fill and Tidal Wetlands for marina improvements for 89 River Road, Cos Cob. Sent to committee on 7/29/19. No action required

6. 9/23/19 General Permit Registration Form for 152 Indian Head Rd for waterfront improvements to replace broken timbers and gangway and ramp. HMC voted in favor at 10/16/19 meeting

7. 9/23/19 Certificate of Permission Application for 28 Windrose, Greenwich for waterfront improvements to repair revetment and floating docks. HMC voted in favor of at its 10/16/19 meeting

**New Business**

- **0 new Business Items to review at the 11/20/19 HMC Meeting**

No other permit actions were received by the HMC affecting the GHA since the September meeting.

Geoff Steadman and Bruce Angiolillo to draft the HMC response to Susan Whalen regarding her comments about the HMP.

9. **Harbormaster Liaison Report**

Bill Ingraham reported the committee is on “winter break”.
The harbormaster boat has been removed from the water.
The boat was full of water and has 3 ft. of water in same.

10. **Unfinished Business**

a. **Status of Potential Dredge of Greenwich Cove**

Brian Kerzner reported water sampling is being conducted.

b. **Status of “No Wake” Zone**

Bill Ingraham reported the committee is presently waiting for recommendations from DEEP.

c. **Weeks Mooring Update**
Weeks is presently investigating alternate plans in Stamford Harbor. Chairman Van Oss thanked Bruce Angiolillo and Geoff Steadman for their efforts on this project.

d. Blue Plan Update
Chairman Van Oss reported that HMC comments on the plan have been forwarded to State Rep. Meskers.

e. Chairman Van Oss announced the selectman Jill Oberlandor will be the new Ex Officio from the Selectman’s office

Geoff Steadman presented a map he prepared to clarify authority and purpose of the plan.

None.

11. New Business

None

12. Public Comment

One person in attendance expressed his appreciation of the efforts of the Harbor Management Commission relative to docks. He complained that DEEP was not even following their own guidelines

Lt. Jim Bonney provided photos of boat tied to a rock behind Great Captain’s Island. The Police Marine Division is attempting to identify the owner.

Mike Curley, Commodore of Greenwich Boat & Yacht Club, asked what GBYC should do to dredge fairway channel. He advised two fairways have been identified.

Frank Mazza advised it is part of dredge and state will pay if there is enough money appropriated.

Chairman Van Oss clarified the Harbor Management Commission will work on open access to all in order to have Army Corps of Engineers proceed with the dredge.

13. Adjournment

Motion to adjourn made by Bruce Angiolillo, seconded by Casey McKee. Motion carried (Unanimous).

Meeting adjourned at 7:50 PM
Penny Monahan assisted the Secretary in the preparation of these minutes.