DRAFT

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

Minutes

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

Absent:
Lile Gibbons
Bernard Armstrong

Alternates:
Casey McKee

Absent:
David Noble

Ex-Officio Members in Attendance:
Joseph Benoit
James Bonney
Roger Bowgen
Brian Kerzner
Ian MacMillan
John Toner

R.T.M.
Police Department Marine Division
Shellfish Commission
Department of Parks & Recreation
Harbormaster
Board of Selectmen

Absent:
Sue Baker
Rick Loh

Conservation Commission
Board of Parks & Recreation
Consultant in Attendance:
Geoffrey Steadman

1. **Meeting called to order at 6:04 P.M. by Chairman Bruce Angiolillo**

   In the absence of Commission Members Lile Gibbons and Bernie Armstrong, Chairman Angiolillo seated Alternate Member Casey McKee.

2. **Approval of Minutes of the January 23, 2019 Regular Meeting**

   Motion to approve the Minutes of the January 23, 2019 Regular Meeting by Frank Mazza, seconded by Casey McKee. Motion carried (Unanimous).

3. **Chairman's Report**

   A copy of Chairman Angiolillo's report, which was read and distributed at the meeting, is attached to these Minutes.

4. **Greenwich Harbor Dredge Project Planning Update**

   Frank Mazza reported that he met recently with the Army Corps of Engineers and it has requested the Harbor Management Commission to propose a location for a CAD cell in Greenwich Harbor for the disposal of unsuitable dredge material.

   Geoff Steadman separately reported that the same planning approach as was used for the Mianus River Dredge project is being utilized for the planning of the Greenwich Harbor project.

5. **Finance Committee Report**

   Finance Committee Chairman Frank Mazza reported the Harbor Management Commission Budget for 2019-2020 has been approved by the Board of Selectmen and has been forwarded to the Budget Committee of the BET. He also noted that $2,000,000 has been added to the Town's Capital Improvement Plan for the anticipated required cost share for the disposal costs for unsuitable dredge material associated with the dredge of the federal channel in Greenwich Harbor.

   At the invitation of Chairman Angiolillo, Chief Heavey and Lt. Bonney addressed the Harbor Management Commission regarding the Police Department's
Chief Heavey reported that BET Member Jeff Ramer had recommended deleting $100,000 from the Police Marine Division budget. Chief Heavey reviewed the current staffing and hours of coverage of the Marine Division, as well as the Marine Division’s current activities and responsibilities. He asked the Harbor Management Commission to consider the potential impact that the proposed budget reduction would have and solicited the Commission’s support to request that $100,000 not be deleted from the Police Department’s 2019-2020 budget. Commission members questioned Chief Heavey on this issue and an extended discussion among the Commission members followed. Thereafter, reflecting a consensus, Chairman Angiolillo invited a motion to authorize him to send a letter to BET Chair Jill Oberlander expressing the Commission’s concerns regarding the impact that a budget reduction would have on the Marine Division’s ability to maintain the existing hours of operation with a full compliment of officers.

A motion was made by Frank Mazza, seconded by Casey McKee, authorizing the Chairman to send a letter reflecting the Commission’s consensus that it would be imprudent to reduce the Police Department’s 2019-2020 budget by reducing the funds available to maintain current staffing and hours of coverage at the Marine Division. Motion carried (Unanimous).

6. **Mooring Committee Report**

Mike Van Oss reported the Mooring Committee continues to issue permits through the online mooring system and is working on locating abandoned moorings. Applications continue to come in and stickers have been mailed to mooring holders who have completed their renewals.

7. **Application Review Committee Report**

Casey McKee reported in the absence of Bernie Armstrong. A copy of Mr. Armstrong’s written report is attached to these Minutes.

8. **Long Range Planning Committee Report**

Don Carlson reported that the Committee is considering expanding its focus from the priority issues enumerated in the Harbor Management Plan. He stated that the Committee will report on its work at the April meeting.
9. Harbormaster Liaison Report

Bill Ingraham reported that the Harbormaster has requested that the boat be launched earlier this year. Mr. Ingraham stated that there is no real need to do this at this time. Chief Heavey volunteered that the Police Marine Division is ready and willing to assist the Harbormaster, if needed before he has access to the boat.

10. Unfinished Business

a. Consideration of HMC Participation in Coastal Resiliency Study
Chairman Angiolillo reported Pat Sesto has invited the HMC to participate in the Coastal Resiliency Study. Both Frank Mazza and Geoff Steadman expressed their views that this is an important undertaking and the need for HMC participation. Chairman Angiolillo stated that he would contact Ms. Sesto and advise that initially the HMC would like to follow the same approach that is being followed with the Shellfish Commission, which is that the Commission will be kept advised of progress and have an opportunity to review drafts and comment, etc.

b. Consideration of proposed Kelp Farm
Steve Timchak presented a map with an adjusted location for the proposed kelp farm. Mr. Timchak responded to various questions from Commission members. He also agreed, in response to a question from Chairman Angiolillo, to provide the HMC with a written personal undertaking to remove all equipment, lines, floats and markers from the GHA in the event he discontinues operations.

A motion was made by Bruce Angiolillo, seconded by Mike Van Oss to authorize the Chairman to indicate on the application form when it is received that the HMC has no objection to this application. Motion carried (Unanimous).

11. New Business

Bill Ingraham presented a chart prepared by Geoff Steadman regarding the placement of no wake/slow speed buoys at Great Captains Island. He reported on progress with obtaining permits from the State. The Marine Division has agreed to help with recommendations for locations for the buoys.
12. Public Comment

Robert Krasner addressed the Commission to express his view that there is a growing need to dredge in the Greenwich Cove Channel. Frank Mazza pointed out that the Town presently has money budgeted to address this issue. Chairman Angiolillo asked Brian Kerzner to check on the present status and report back at the April meeting.

13. Adjournment

Motion to adjourn made by Frank Mazza, seconded by Casey McKee. Meeting adjourned at 7:40 P.M.

Bruce Angiolillo  
Chairman

Mike Van Oss  
Secretary

Penny Monahan assisted the Secretary in the preparation of these minutes.
I would like to use my Chairman's Report tonight to take note of the significance of this month's meeting. Today is the official end of Winter and the start of Spring. For many in our Community, thoughts now turn to the water and all of the recreational, leisure and other activities that the Greenwich Harbors Area affords. But it is not the change of seasons that I would like to note, but rather to acknowledge that tonight the Harbor Management Commission completes its fifth year of service. Five of us were in the original classes of Commission Members and Alternate Members; four of us later joined the Commission as our work got underway. Penny Monahan has been our backstop throughout, and Geoff Steadman has demonstrated time and time again that he is the wisest and most knowledgeable person on matters relating to Connecticut's salt waters. So let me take a moment to remind us where we were when we started and where we are today.

When we began our work, it was quickly apparent that this was going to be more of a challenge than we thought we had signed up for. The RTM had charged us — nine citizen-volunteers — with the task of creating a Harbor Management Plan 'from scratch', whose overarching purpose is to enhance and protect our Town's most recognizable and distinguishing asset, namely, the Greenwich Harbors Area. As we know well, Greenwich enjoys the longest and most elaborate coastline of any town in Connecticut.

As we all remember, we encountered opposition 'right out of the gate'. Again and again, we read the Commission's obituary in the local press and the sharp predictions that we would never get a harbor management plan drafted, let alone adopted. Many unfounded and untrue things were said about us — some just inexcusable and hurtful. In the face of this, we 'closed ranks' and resolved not be diverted from our work. After a multi-year effort, we designed, drafted and earned the support and approvals of the Harbor Management Plan from the State of Connecticut, the U.S. Army Corps of Engineers, the Board of Selectmen and, finally, the RTM (by an overwhelming majority, with only four 'nay' votes). That success reflected the Commission's patient willingness to listen to everyone, including our noisiest critics.
With the approval and adoption of the Harbor Management Plan, the Town can now take full advantage of the opportunity to secure and enhance 'Home Rule' over the Greenwich Harbors Area. Further, with the approval and adoption of the Plan, the Harbormaster — by Connecticut State Statute — is now obligated to discharge his limited state duties in a manner consistent with and in furtherance with the Harbor Management Plan. These are significant and 'evergreen' benefits to our Town.

Starting even before the Plan became effective, the Commission engaged in a number of important issues, initiatives and projects. The Commission promulgated regulations for the placement of moorings and mooring tackle; implemented a new online mooring registration system and built a database of all known mooring locations; began the tagging of unregistered moorings and a search for their owners; reviewed (and reviews) all applications for in-water structures and land use projects which may affect the GHA; worked with the Planning and Zoning Commission on satisfactory revisions to the Waterfront Business Zone Regulations; worked with the Law Department to update the Town Code in response to the creation of the Commission and adoption of the Plan; and worked (and works) on a regular basis with the various Town departments and commissions which intersect the Greenwich Harbors Area, including Parks & Recreation, Public Works, Law, Finance, Planning and Zoning, Conservation, Shellfish and Police Department Marine Division. The Commission also completed the dredge of the Mianus River federal channel and we are now working on a plan for the dredge of the Greenwich Harbor federal channel. When required or invited to do so, we have appeared before the BOS, BET and the RTM, including committee and district meetings. Most importantly, we have done our work by consensus. As our Minutes demonstrate, month after month, our Commission has worked through the issues at hand and when we act, we have been able to do so unanimously.

I offer this reflection on what we have achieved in the first five years to suggest that we have only started with what we may hope to be able to do for our Town. I also do so to make a small point about a larger issue in the background shadows. We live in a time where it seems that only 'a fool' volunteers; where everyone is assumed 'to have an agenda'; and there is more upside in being a 'critic' than a participant. While we all have shared moments of doubt, I hope that we may take the time this evening on the occasion of our 5th Anniversary to celebrate our success at 'giving back' to our Community.

Bruce Angiolillo, Chairman
Harbor Management Commission for the Town of Greenwich
Application Review Committee Report

3/20/19 HMC Meeting

Bernard Armstrong, Chairman
Casey Mc Kee, Bruce Angilillo

Finished business

1 Item completed since last meeting

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. DEEP License # 2018 06045-COP issued 5/3/18 and the HMC was notified 2/19/19 (Thank you Geoff Steadman)

12 Open Items (pending DEEP action)

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.

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.

7. 12/18/18 Rec’d DEEP Permit Consultation Form for 30 Oneida Drive, Greenwich (on Smith Cove) to build a new 4’x5’ fixed steel pier. The pier will contain a 10’x10’ pier head and a kayak lift for safe access to GHA waters. Engineer Sleicher. Concerns: Heavy Spartina grass and tidal mud area. HMC Letter sent 2/22/19 with no objection to this application.

8. Rec’d DEEP Permit Consultation form to replace an existing pier, ramp and float on Wee Captain Island. Engineer Hilts. Shellfish has determined it will have no adverse impact on shellfish areas. Recommended position. The Harbor Commission has no objection to proceeding with this permit application.

9. Rec’d Residential Dock Application for 8 Eggleston Lane in Old Greenwich to install a new 4/40 dock in Greenwich Cove. Engineer Bajek. The closest vegetation is 10 ft. The dock will be located downstream of the proposed Marache and presents no obvious navigational issues. Recommended position. The Harbor Commission has no objection to proceeding with this permit application. HMC letter sent 2/22/19

10. 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

11. DEEP posted a Public Notice Hearing for 4 Indian Drive. The HMC had no objection to this application and sent letter on 2/28/19.

12. 3/15/19 DEEP posted a Notice of Tentative Determination to approve structures, dredging & fill and tidal wetlands and to waive Public Hearings to replace the Oneida Drive Bridge over Smith Cove. It should be noted that this application was filed prior to October 2017 and did not come before the HMC. Application # 201711080-SDFTWQ filed by Greenwich

New Business

2 New Items to be reviewed and voted on at the 3/20/19 HMC Meeting
2/13/19  Rec’d Application for Certificate of Permission for Seawall Repair and Reconstruction at 20 East Point Lane. Engineer Chris Eggers. Commissioner Armstrong completed a site visit on 2/18/19 and recommends “no objection to this application”.

2/28/19  Rec’d DEEP Permit Consultation Form for Belle Haven Club in Greenwich to dredge and expand its marina area. Steve at Race Coastal in the project engineer.

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

Noteworthy; Katie Dykes named as new Acting DEEP Commissioner replacing Robert Klee