



HARBOR MANAGEMENT COMMISSION

Office of the First Selectman

101 Field Point Road

Bernard Armstrong, Chairman

Greenwich, CT 06836-2540 Mike Van Oss, Vice Chairman Phone: 203-622-7713 Lile Gibbons, Secretary

4/20/22 MINUTES

Town of Greenwich

Harbor Management Commission Meeting

Hybrid meeting via Zoom and in person at Town Hall

Members in attendance:

Mike Van Oss, Outgoing Chairman, Incoming Vice-chair
Bernard Armstrong, Outgoing Secretary, Incoming Chair
Lile Gibbons, Outgoing Vice-chair, Incoming Secretary
Beth Forbes
Ty Anderson
Fridolf Hansen
Bill Ingraham
Skip Parker

Ex-Officio Members in Attendance:

Brian Kerzner, Parks & Rec
Sue Baker, Conservation Commission
Janet McGuigan, BOS
Joe Benoit, RTM
Sean Jordan, Harbormaster
Roger Bowgen, Shellfish Commission

Absent:

Patrick LeRow, P&Z
Sarah Coccaro, Inland Wetlands
Rick Loh, Board of Parks & Rec
Sargent Shockley, Marine Police

Others in Attendance:

Jenny Larkin
Geoff Steadman
Joel L., Indian Harbor

1. Call to Order

The April 20th HMC meeting was called to order at 6:04 pm by Chairman Mike Van Oss.

2. Approval of Minutes

Changes to the March 16th HMC minutes:

- the comment attributed to Selectman Janet McGuigan on the request for \$250,000 for the Greenwich Cove dredging was actually requested by Brian Kerzner from P&Z.
- Kerzner also commented the \$40,000 needed for additional soil testing at the request of NY State may not be approved by the BET.
- Lile Gibbons and Susie Baker said they would speak with members of the BET Budget Committee on the necessity of this funding.

Beth Forbes moved to approve the minutes with these corrections and addition. Lile Gibbons seconded. Unanimously approved.

Before the Election of Officers, Chairman van Oss reported on the changes in membership of the Harbor Management Commission:

- Casey McKee resigned his position on the Commission effective March 31, 2022;
- Ty Anderson was elected a full member of the Commission by the RTM at its April meeting;
- Ed Teller was elected a new alternate to the Commission at the same meeting. -Bill Ingraham was approved for another term to the HMC by the RTM.

3. Election of Officers

Mike von Oss thanked the Commissioners for their support of his Chairmanship over the past two years. He said it was time for someone else to take over as Chair. Mike van Oss moved to nominate Bernie Armstrong as Chair of the HMC. Beth Forbes seconded. No additional nominations. Vote for the new Chair was unanimous.

Nominations for vice-chair. Bernie Armstrong nominated Mike van Oss for vice-chair. Ty Anderson seconded. Vote unanimous.

Nominations for Secretary. Mike van Oss nominated Lile Gibbons for Secretary. Bernie Armstrong seconded. Vote unanimous.

4. Chairman's Report Chairman Bernie Armstrong

Chairman Armstrong reported that he, Mike van Oss and Lile Gibbons are starting our 9th year on the HMC. The new Chairman thanked Mike van Oss for his work as Chair of the Commission. He announced Beth Forbes will become the new Chairman of Dock and Pier Permitting and Ty Anderson will Chair the Finance Committee. We need two volunteers to be on the dock committee. The Commission also needs an assistant secretary. Mike van Oss, as outgoing chair, requested every commissioner to be involved on the Commission and become active on a committee.

5. Mooring Committee

Bill Ingraham said the committee had a request this week for a mooring to handle a 55' boat that draws 19'. No such mooring currently exists. Mooring renewal applications are running ahead of last year.

6. Harbor Master Report

Harbormaster Jordan reported that plans for the Town Party on Memorial Day Weekend are going well. The "J" Buoy still missing according to the Coast Guard. He received a complaint from one of our mooring vendors about an individual using possibly 6 moorings under someone else's name. Harbormaster's full report attached.

7. Finance Report

Ty Anderson reported that to date half of our revenue has been accrued. Over the next three months the account will receive more revenue than it expends. Skip Parker asked if we set aside the \$20K for removal of the unpermitted docks in this fiscal year or next. Yes, it is included in the next fiscal year beginning 7/1/122.

8. Applications Review

- a. 77 Club Road. This permit was tabled until this month and tabled again.
- b. 10 Lighthouse Point. Received Pre-submission form for a proposed 78' pier/dock. Engineer Jill Peitropaolos at Race Coastal.
Roger Bowgen reported the Shellfish Commission had visited the site and given the type of pilings to be used with the dock had no objection. The HMC said it has no objection to the dock application as it is in the pre-application process but before it moves to a full application, it would like to see a drawing with an extension of the littoral line of the adjacent property to the south.
The commission has no objection to the COP for the seawall.
- c. 25 Indian Chase Drive. Rec'd Pre-submission form. To retain a sea wall and build a 4' by 48' residential dock. The Commission will respond it has no objection to the application moving forward but reserves the right to review when a full application has been submitted. Lile Gibbons moved this proposal. Mike van Oss seconded. Unanimous in favor.

9. Water Hazards

No change to the floating docks under the Mianus River Bridge which remain unpermitted. The pots are not being used. With the help of Geoff Steadman, Skip Parker reported Atlantic Marine of New Haven would like to bid on the project. Geoff Steadman reported DEEP gave us a form for applying for state funds for removal of derelict structures. Need a professionally submitted bid in order to complete the form. Mr. Parker will ask the contractor to submit a bid.

10. Old Business

- a. Captain's island_no wake zone buoys. Waiting for final approval from DEEP for placement. Hope to have this information by tomorrow. Brian Kerzner working on other buoys that need permitting.
- b. Greenwich Harbor Dredge/Grass Island.
Questions asked what is the origin of "open to all on an equal basis". "Open to all" applies to all federal navigation projects and the adjacent marinas. Part of the town's marina has actually been built into the federal anchorage. One of the suggested remedies is to defederalize the marina. However, the boats using the federal anchorage would be coming from a marina that is not "open to all". Which would negate the issuing of a permit. There is renewed interest from the federal gov't to provide dredging funds as both Southport and Norwalk have received some funding. The Army Corps is not going to be specific about what Greenwich should say in its permit application but is waiting for the commission to make a proposal. Currently the army corps says our policy is not in compliance, and will not entertain a permit. Chairman asked Geoff Steadman by the next meeting to write a short summary of how both Southport and Norwalk have navigated the issue of "open to all" and have moved ahead with the permitting process. Mr. Steadman reported that in Southport the slips currently held by residents would continue to be held but the waiting list would open slips to non-residents.
- c. Greenwich Cove Dredge
Selectman McGuigan reported that the \$40,000 for the soil testing was approved by the BET; the \$250,000 funding for the dock repairs was approved less \$50,000. The town budget still has to be approved by the RTM.
- d. Harbor Plan drafting committee update No report from Chairman Beth Forbes.
Geoff Steadman had a conversation with Brian Thompson of DEEP about the process of updating HM plans. Thompson suggested the process be put on hold pending the outcome of the Cohen case (meaning, should the Cohen Case be decided in favor of DEEP, the HMC should revise its HM plan reflecting this outcome that DEEP has ultimate authority which negates any authority from local HMCs). Geoff disagrees and asked if DEEP would be willing to work with HM commissions to draft legislation regarding Harbor commissions authorities. DEEP was unresponsive. The Appeals Court has until August 1st to render a decision. The decision is bound to be further appealed no matter who wins.

11. New Business

Update on LIS Blue Plan meeting (Geoff Steadman) The purpose of the Blue Plan is to deal with future energy proposals (i.e., wind farms and electric transmission lines in the Sound) not to second guess individual Harbor Management Commission decisions with local matters.

12. Public comment

None.

Bill Ingraham said the harbormaster's boat has been serviced and is in the water. Boat will be ready for the Harbor Master next week.

Selectman McGuigan said this is national volunteers week and thanked us all for our time.

13. Adjournment

Lile Gibbons moved to adjourn at 7:48 and Mike van Oss seconded.

Lile Gibbons, Secretary

Bernard Armstrong, Chairman

Mike Van Oss, Chairman

Lile Gibbons, Vice Chairman

Bernie Armstrong, Secretary

Harbor Management Commission Selectmen's Office

101 Field Point Road Greenwich, CT 06836-2540 203-622-7713

Harbor Management Commission April 20 2022 Agenda

6:00 P.M.

Mazza Room and Via Zoom Conference

<https://greenwichct.zoom.us/j/84205004136?pwd=dy8wZlVhYlBKNhUM25Y2Z2Z5VStVQT09>

1. Call to Order
2. Approval of Minutes for the March 16th
3. Election of Officers
4. Chairman's Report
5. Mooring Committee Report (Ingraham, Mc Kee, Van Oss)
6. Harbormaster Report (Harbormaster Sean Jordan)
7. Finance Committee Report (Anderson)
8. Applications Review Committee Report (Armstrong, Forbes McKee)
 1. 77 Club Road. Pre-submission Consultation form for new pier, dock and boat lift for **77 Club Road**, Riverside, CT Engineer Christina Lopes Docko's. Tabled pending new survey from applicant

2. Rec'd Pre-Submission form for a proposed 78' pier/dock at **10 Lighthouse** Lane in Old Greenwich. Engineer Jill Peitropaolo at Race Coastal. N.b. tied to sea wall repair application of 1/14/22 (above). Tabled for site inspections by Shellfish & Conservation.
 3. Rec'd Pre-submission Form for 25 Indian Chase Drive to retain a stone wall and build a 4' by 48' residential dock. Engineer Coastline Consulting (Mark Jackson)
9. Water Hazards Committee Report (Skip Parker)
 10. Old Business
 - a. Captain's Island No Wake Zone Buoys
 - i. Greenwich Harbor Dredge/Grass Island
 - c. Greenwich Cove Dredge
 - d. Harbor Plan drafting committee update (Beth Forbes)
 11. New Business
 - Legislative Measures Related to recent court decision f. Greenwich Town Party Harbor Plan (Sean Jordan)
 - Update on LIS Blue Plan meeting (Geoff Steadman)
 12. Public Comment
 13. Adjournment

N.B Jenny Larkin (ZOOM Technical Support) will attend the meeting in the Mazza room and co-ordinate the technical aspects of the combined live meeting and the Zoom meeting

Mike Van Oss, Chairman

The Town complies with all applicable federal and state laws regarding non-discrimination, equal opportunity, affirmative action, and providing reasonable accommodations for persons with disabilities. If you require an accommodation to participate, please contact the Commissioner of Human Services at 203-622-3800 .Alan Barry was replaced by Demetria Nelson demetria.nelson@greenwichct.org. The phone number remains the same.

Monthly Written Report HMC Monthly Meeting

Sean Jordan

Good Day,

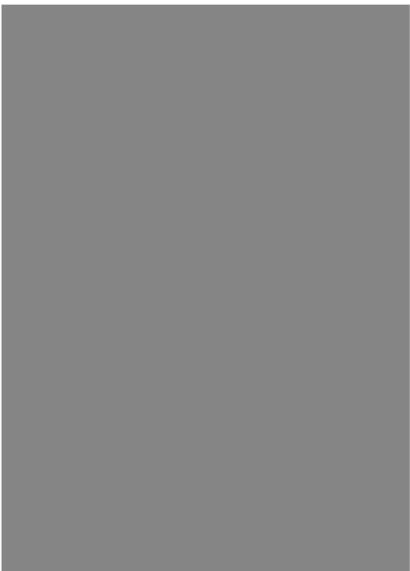
Please note the below written summary of activities:

For items included on previous months repots, **red text** indicates updated comments.

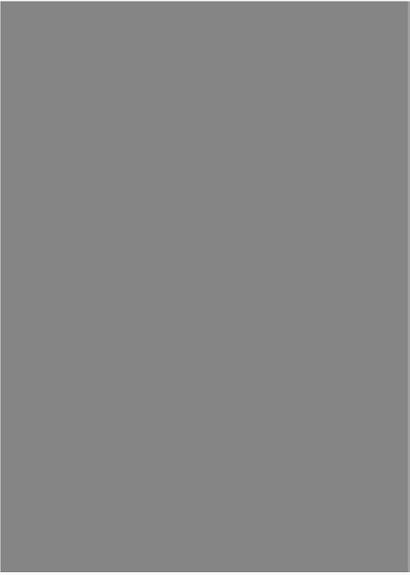
April 2022 Moorings– We may need to double check the regs or permits. The historical process for establishing mooring should remain unchanged, it seems we only need to add the step of obtaining the Harbormaster signature.

Communications/Queries/Events from Public

Person/Business/Name	Description	Action (open/closed)
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2J Buoy	Buoy not on station	<p>When passing the area "2J" buoy is marked on chart I did not observe on station. Intention is to send email to USCG to see if any changes made and if new buoy needs to be placed on station.</p> <p>Have requested update from USCG</p>
Town Party	 <p>Propose to have mooring vendor inspect and remove derelict/unpermitted moorings</p>	To be discussed
		
Mooring Field maintenance	 <p>Contract mooring vendors to inspect and remove unpermitted/derelict moorings</p>	

Previous items

Person/Business/Name	Description	Action (open/closed)
Parks and Rec + Mooring Committee	Plan for shore side storage 	Agreement to temporarily store pulled mooring in the "coral"
Norm Bloom	Moorings in Oyster beds	They will be sharing the seasonal mooring information they have approved for their beds. This is to cross check and update the town records. Understand moorings are historically approved and accepted by the shell fish commission.
		Not yet received
US Army Corp of Engineers – Alexandra Schafer	Confirmation of Greenwich CT Port Boundaries	Request for HM and HMC confirmation of port boundary currently waiting to reply. No change
David Osler	Alleged unauthorized mooring servicing	David has emailed the HMC and First Selectman's office related to application for mooring vendor status. Per my emails and text messages with David we have clearly agree no more duty are to be performed which required an approved vendor. He is free to perform the services on his own mooring.

Monthly Written Report HMC Monthly Meeting Sean Jordan April 2022

This has been agree and will need to monitor for follow through.

We understand there an a few unpermitted moorings belonign to David which needs checking and possible action.