

FINAL

**Town of Greenwich
Harbor Management Commission
Meeting
September 18, 2019
6:00 P.M.
Mazza Room, Town Hall**

Minutes

Members in attendance:

Mike Van Oss	Chairman
Lile Gibbons	Vice Chairman
Bernard Armstrong	Secretary
Bruce Angiolillo	
Don Carlson	
Bill Ingraham	
Frank Mazza	

Alternates:

Casey McKee

Ex-Officio Members in Attendance:

Sue Baker	Conservation Commission
Joseph Benoit	RTM
James Bonney	Police Department
Roger Bowgen	Shellfish Commission
Brian Kerzner	Department of Parks & Recreation
Ian MacMillan	Harbormaster
John Toner	Board of Selectmen

Absent:

Joseph Benoit	RTM
Katie DeLuca	Planning & Zoning Commission
Rick Loh	Board of Parks & Recreation

Consultant in Attendance:

Geoffrey Steadman

1. Meeting called to order at 6:01 P.M. by Chairman Mike Van Oss

In the absence of Bruce Angiolillo, Chairman Van Oss seated Casey McKee.

2. Approval of Minutes of the July 17, 2019 Regular Meeting

Motion to approve the Minutes of the July 17, 2019 Regular Meeting as amended as follows:

"Mr. Carlson expressed concerns about the potential application for dock removal at 17 Bryon Road which was discussed at the June meeting. He noted that there are several dozen neighborhood property owners who hold deeded easement rights for access to the waters of Long Island Sound over the servient property located at 17 Bryon Road. Mr. Carlson expressed concern that DEEP might act on the application without full awareness of the relevant facts and circumstances and asked the HMC to consider taking some action to ensure that DEEP has a complete record before it in the context of any prospective application with respect to this property. Mr. Carlson noted that as of the July HMC meeting no dock removal application had yet been filed with DEEP by the owners of 17 Bryon Street.

Mr. Armstrong and several others emphasized that the HMC's action at the June meeting did not constitute approval of the application on the merits, and noted in fact the HMC's letter to DEEP expressly reserves all rights to consider the application on the merits in terms of its consistency with the Harbor Management Plan. Several members suggested that the affected neighbors submit their concerns and additional information directly to DEEP and deferred consideration of what further action HMC might take to clarify the relevant record."

by Bernie Armstrong, seconded by Casey McKee. Motion carried (Unanimous).

3. Chairman's Report

Chairman Van Oss reported he has recently met with HMC Committees and is pleased with cooperation.

4. Greenwich Harbor Dredge Project Planning Update

Frank Mazza reported no progress. Mr. Mazza is presently working with the Army Corps of Engineers and the Law Department on this project.

5. Finance Committee Report

Frank Mazza stated nothing to report.

6. Mooring Committee Report

Bill Ingraham reported everyone who has submitted proper documentation is on a mooring.

Harbormaster MacMillan reported there are spaces available at Captain's Island.

There is presently no wait list for any area.

7. Application Review Committee Report

Chairman Bernard Armstrong presented the attached report. No Dock Applications were reviewed.

8. Harbormaster Liaison Report

Bill Ingraham reported he and Harbormaster working well together.

9. Unfinished Business -

a. Status of Potential Dredge of Greenwich Cove

Brian Kerzner reported not much progress at this time.

b. Status of No Wake Zone

Bill Ingraham reported Law Department is getting ready to send proposal to RTM.

Motion by Chairman Van Oss to draft language for proposal to RTM, seconded by Bill Ingraham. Motion carried. Unanimous.

c. Kevin B tug removal

Chairman Van Oss reported he has been involved in discussions relative to RPF to remove same.

Motion by Bernie Armstrong, seconded by Lile Gibbons to get price quote from qualified contractor for removal of debris. Motion carried. Unanimous.

d. Weeks Mooring Update

Geoff Steadman reported he has heard that Weeks is planning a public presentation of revised plan on October 7th in Stamford. To this date no arrangements have been made.

- e. **Connecticut Harbor Management Association Membership**
Motion by Lile Gibbons, seconded by Bernie Armstrong to continue membership. Motion carried. Unanimous.

- f. **Blue Plan Update**

Geoff Steadman is working to draft letters relative to Blue Plan.

- g. **Federal Dredge Fund Programs**

Geoff Steadman advised limited funds are available and they usually go to large commercial harbors.

10. New Business

- a. Application Review Sub Committee Special Meeting regarding 17 Bryon Road Application - Friday September 20, 2019 at 3:30 P.M., Mazza Room, Town Hall.
Chairman Van Oss made announcement relative to the date, time and location of the meeting.

11. Public Comment

Chairman Van Oss advised a meeting will be set up with him, Parks & Recreation Department and contractor relative to use of Town ramps.

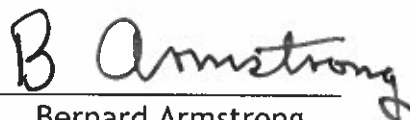
Geoff Steadman advised neighbors are to be notified of Dock Applications by the applicant by registered mail. Mr. Steadman outlined requirements by State Regulatory process.

12. Adjournment

Motion to adjourn made by Lile Gibbons, seconded by Bernie Armstrong.
Meeting adjourned at 7:53 P.M.



Mike Van Oss
Chairman



Bernard Armstrong
Secretary

Penny Monahan assisted the Secretary in the preparation of these minutes.

Application Review Committee Report

9/18/19 HMC Meeting

Bernard Armstrong, Chairman

Casey Mc Kee, Bruce Angiolillo

Finished business

6 actions completed & removed from report

- 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. Permit issued 7/25/18.
- 5/8/18 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. Permitted in 2018.
- 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". DEEP notified by letter on 3/27/19. Permit #2019-02761-02 issued 5/9/19.
- 12/18/18 Rec'd DEEP Permit Consultation Form for **30 Oneida Drive, Greenwich** (on Smith Cove) to build a new 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. Engineer Sleicher. Concerns: Heavy Spartina grass and tidal mud area. HMC Letter sent 2/22/19 with no objection to this application. Applicant advised to downsize to a 4/40 dock with a 10x10 float and a general permit was issued #201907126-1-LISGP.
- 8/29/19 Rec'd DEEP License# 201711160-SDFQ for Belle Haven Club for marina dredging
- 9/12/19 Rec'd DEEP License # 201908732-COP for 247 Byram Shore Road, Greenwich to modify an existing recreational dock.

9. 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.
 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.
 7/24/19 appeal hearing held in Hartford. Heard by deputy commissioner Susan Whalen. Geoff Steadman and Bernie Armstrong. Presenters Bruce Cohen, Jeff Caiola, John Casey.
 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.

- 2 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.
- 3 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.
- 4 4/15/19 Rec'd updated Structures, Dredging and Fill, and Tidal Wetlands Permit Application from the Town of Greenwich for **Byram Boat Ramp** Improvements. Sponsor Brian Kerzner. Race Coastal Engineer Matthew Taverna. HMC letter sent 2/22/19. Went to public notice.
- 5 5/16/19 Rec'd copy of public notice for the **Davis Ave Pedestrian Bridge** in Bruce Park. Colin Clarkson is the engineer. 9/16/19 Rec'd Notice of Tentative Determination for Application #201906909-SDF for Davis Avenue Bridge signed by Brian Thompson. Posted to DEEP website giving notice that a public hearing may be held if requested by 25 people.
- 6 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.

7. 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**).
8. 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**.

5/21/19 rec'd 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.
9. 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

New Business

0 items to be reviewed and voted on at the 9/18/19 HMC Meeting

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

2018 Harbor Master vessel log

9-18-19 HMC
Iten #8

DATE	ENGINE HOURS	TASK	TIME	COMMENT
4/8/18	428	prep vessel		bilge pump runs on & off
4/14/18	429	fuel, sea trials		
4/28/18	431,432,435	prep harbor	talk with shell fishermen about moorings	
5/9/18		cleaned consol, ck lights charged batteries		
5/11/18	436	speed,depth,hose, down,pickup hook		
5/16/18 thru 6/20/18, prep for TOG party on 5/26/18				
5/25/18	437	locate mooring at OGYC		
5/29/18	451,452	recover 4 sunk buoys		
6/9/18 thru 6/11/18, haul out, empty, power wash, replace prop, change stern light, vacuum, launched, back in slip, w/ Ray Brody				
6/12/18	454	locations in Hinckley park		
6/16/18	454 to 459	fueled at IHYC, RYC, ID moorings in cove, patrol		
7/11/18	464	drop off & pick up from catalanos		
7/16/18	466	with werner		
10/5/18	468,469	check moorings		
10/19/18	469-470	change prop	1 hour	last of the spare props

Sea trial, still a light vibration boat does 28 knots, patrol to cove & Great Capt.

The above is the hours of engine use. It should be noted that the boat was not seaworthy until 4/15/18. The boat was not available from November 1st 2018 to 4/15/19.

The best time for use of the HM vessel is during the spring and fall when boats are not on their moorings. The fall is the best time as the water is still warm.

Ian Macmillan

Harbor Master

2018 Harbor Master vessel log

DATE	ENGINE HOURS	TASK	TIME	COMMENT
5/23/19	470	prep vessel		bilge pump runs on & off
Move vessel to slip S 1, then S7 and then to N8. Fueled up 12.10 gal				
5/24/19	471	prep vessel		batteries dead, charged
5/25/19	429	fuel, sea trials. Town party Beach Boys and lenard skinnerd, bow		
5/26/19	481	clean up cockpit		
5/31/19	482 to 483	patrol cove and great capt		
6/4/19	484	patrol west of shell island		
6/19/19	charger quit	needs solar charger		
Advice: waterproof locker for equipment. Solar battery charger. Mooring waiting list.				
7/1/19	485 hrs	patrol of shell island east for space for moorings		
7/7/19	200 ft megayacht ketch Hetairos, anchored just North of hens & chickens for fire works			
7/10/19	\$35.00	bought portable running light after 1 hour of attempt to fix it. Bilge pump drains batteries		
7/15/19	slip S 1 unused since HM moved to N 8 is too tight with other boats			
8/4/19	Taurus aground near Bowers Island with 45 degree list in the air			
8/5/19	patrol			
8/30/19	486 hrs	12.9gal.	patrol and checked moorings	
9/1/19	487 hrs	patrol		
9/10/19	bailed with solar panel charger			
9/18/19	slip S1 still unused. slip N8 is tight with neighbor boat , difficult at low tide and wind conditions. Berni notified me that there is a new HM vessel.			

Ian Macmillan

Harbor Master