1. **Meeting called to order at 6:05 pm by Chairman Mike Van Oss**
2. **Approval of Minutes for the October 20th HMC Meeting**
   a. Lile Gibbons motioned to approve the Minutes of October 20th meeting. Beth Forbes seconded. Vote Unanimous.
   b. Armstrong and Gibbons questioned if we had a quorum and agreed we had 4 commissioners present so no one was seated.
3. **Chairman’s Report** Chairman VanOss thanked Jenny Larkin for setting up the combined monthly meetings.

4. **Moorings Committee**. No report

5. **Harbor Master Report (Harbormaster Jordan)**

Sean Jordan reported that he was still waiting for the Coast Guard to okay the buoy sitings and that he had received many questions about how the mooring application process works and suggested that a procedure be prepared and posted to the HMC website. Mr. Jordan’s report is attached.

Officer Shockley reported that a boat anchored in the harbor was being used as a residence and that the occupant had not had time to move the boat. The anchor is holding and the vessel does not present any danger.

6. **Finance Report (Armstrong)**. Mr. Armstrong reported that we are currently “running under” in both revenues & expenses. Also, that a F2023 budget meeting would be held on December 6th at 9:30am via ZOOM call. Armstrong, Gibbons, and Anderson to attend to plan the F2023 budget and see it through the approval process.

7. **Applications Review Committee Report (Chairman Armstrong, McKee and Forbes)**

Beth Forbes presented the COP plans for the dock replacement at 619 Steamboat Rd in Greenwich. The commission voted no objection to this application but asked that the Shellfish commission make a site visit and furnish its report. Mr. Armstrong to make that request and send letter.

The 2 applications for 21 West Way in Old Greenwich were also discussed at great length. The commission did not vote on either one. Instead, it asked for a Shellfish Site Inspection as well as to see drawings showing this dock extension vis-à-vis the adjacent docks.

8. **Water Hazards Committee (Skip Parker)** reported that at the meeting, he discussed Mr. Bertolf’s call to the First Selectman and Mr. Vissa’s call to Kevin Zawoy. He did not mention the fact that Mr. Bertolf also called me. Nick Concavage, an HMC-approved mooring vendor, also operates a marine contracting business and is capable of salvage work. He has not had a chance to visually inspect the docks since his crews have been taking advantage of warm weather to accomplish ongoing work. Mike floated the idea of moving individual dock sections to the Mianus River public ramp and recycling components on-site. He concluded by saying that this is a developing story for which more information would be forthcoming at the December meeting.

9. **Harbor Plan redrafting committee** (Beth Forbes) presented the suggested changes in the attached written report. Chairman VanOss thanked Beth for her progress with this and suggested that both P&Z and Shellfish be invited to future meetings to get their inputs and possible concerns with these revisions.
10. Old Business
   a. Captain’s Island No Wake Zone Buoys – Brian Kerzner reported that he now has co-ordinates for all no wake buoys but will keep the projects separate
   b. Greenwich Harbor Dredge / Grass Island – Mike VanOss reported that it is on the BOS agenda for November 23rd
   c. Greenwich Cove dredge. Brian Kerzer reported that the current holdup is the cost of bio testing the spoils which New York has requested. He does expect any news to report until mid2022.
   d. Court Decision Appeal-no report
   e. Water Hazards Committee. Skip Parker reported that they did make an extensive site visit at the lobster pot floats in the Mianus River and that these barges were unpermitted. The team took extensive pictures of these barges. Geoff Steadman stated that the harbor plan does not allow for unpermitted structures in navigable waters. The team also reported that the barges were in an advanced state of deterioration. Chairman Parker said that he would ask DEEP to request the owners provide proof of insurance.

11. New Business
   a. Chairman Van Oss said that the current Harbor Plan needs tightening up and proposed that we establish a Drafting Committee. And that any changes would need 4 approvals. Lile Gibbons commented that we do not need 4 approvals if we do not make big changes but only the Board of Selectmen would need to approved it. Beth Forbes and Roger Bowgen volunteered to serve on the drafting committee

12. Public Comment – None

Meeting adjourned at 7:08 pm.

B.F. Armstrong

Mike Van Oss, Chairman Bernard Armstrong, Secretary
Harbor Management Commission
Selectmen’s Office
101 Field Point Road
Greenwich, CT 06836-2540
203-622-7713

Mike Van Oss, Chairman
Lile Gibbons, Vice Chairman
Bernie Armstrong, Secretary

Meeting Notice
Harbor Management Commission
November 17, 2021 Agenda
6:00 P.M.
Mazza Room and Via Zoom Conference

Here’s the Zoom link:
https://greenwichct.zoom.us/j/84205004136?pwd=dy8wZFVsYlBKNUhUM25YZ2Z5VStVQT09
Find your local number: https://greenwichct.zoom.us/u/kdKgVHgCgN

1) Call to Order
2) Approval of Minutes for October 20th regular Meeting
3) Chairman’s Report
4) Mooring Committee Report (Ingraham, Mc Kee, Van Oss)
5) Harbormaster Report (Harbormaster Sean Jordan)
6) Finance Committee Report (Armstrong)
a. 2021 YTD Financials to be provided)
7) Applications Review Committee Report (Armstrong, Forbes McKee)
a. COP Application for 619 Steamboat Road
b. LWRD License Application for 21 West Way to build a 8x20 ft float
c. LWRD License Application or 21 West Way to repair a 53 ft pier in poor condition.
8) Water Hazards Committee Report (Skip Parker)
9) Old Business
a. Captain’s Island No Wake Zone Buoys
b. Greenwich Harbor Dredge/Grass Island
c. Greenwich Cove Dredge
d. Harbor Plan drafting committee status (Beth Forbes)
10) New Business
a. Legislative Measures Related to recent court decision
11) Public Comment
12) 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 or alan.barry@greenwichct.org as soon as possible in advance of the event.
Application Review Committee Report

11/17/21   HMC Meeting

Bernard Armstrong, Chairman

Casey Mc Kee, Beth Forbes

Finished business

4 new items

Pre-Submission Consultation form for 12 Indian Lane, Old Greenwich to repair an existing 77” dock, gangway, float, and seawall. The HMC had no objections to this application. Received Permit number 20210450SDFWQC.

License # 202108799-SDF issued for the Sound Waters Kelp Farm in Stamford Harbor located at the Old Greenwich border

License # 2021045055-SDFWQC issued for 12 Indian Drive, Old Greenwich, to modify an existing dock and boatlift for residential boating use.

License # 202012585-LISGP issued to install a dock at 12 Indian Chase Drive, Greenwich

25 open Items (pending DEEP action)

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.

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’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.

Rec’d DEEP Notice of Tentative Determination to approve the application submitted by River Road Development LLC for proposed activity that includes modifying a marina and rowing club. Written comments due to DEEP by June 16, 2020.

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
Rec’d the Public Notice from the USACOE regarding the kelp farm North of Payea Reach. File NAE-2019-00271 The ACOE is seeking comments regarding this plan. N.B the HMC approved a similar request in 2017.

1/3/2020 Rec’d LWRD License Application for 228 Byram Shore to retain and maintain a 3’x40’ aluminum ramp and a 10’ by 42” timber floating dock in the Byram Riven in Greenwich. Engineer John Hilts. 1/21/20 Sent HMC position letter to Susan Jacobson.

LWRD License Application for Additional floating docks, replacement of deteriorated bulkheads, seawalls and ramp landings, and reinstallation of and/or modifications to ramps at a commercial recreational boating marina for 112 Water Street, Greenwich. Engineer John Hilts. There was no objection to this application and letter sent to DEEP on

LWRD License Application for 207 Byram Shore Road to build a 4/40 dock. John Hilts Engineer. The HMC reviewed this project on April 15th and sent is notification out on 420/20.

Certificate of Permission Application for dock modifications for 31 Indian Point Lane, Riverside. Engineer is Christina Lopes with Dockos in Mystic, CT. The HMC had no objection to this at its 6/17 meeting.

Pre-submission Consultation Form for Greenwich Point Park to dredge 2.4 acres in Greenwich Cove. This area is part of the 147acre Greenwich Point Park with significant residential development in the area. Sponsor is Brian Kerzner. Engineering by Steve Sternberg, Race Coastal. The HMC had no objection to this at its 6/17/20 meeting.

Pre-Submission Consultation Form for 7 Meadow Place, Old Greenwich, to extend the 50 ft pier, add gangway and timber floating dock. Engineer, Jill Pietropaolo, Race Coastal. Rec’d Shellfish signoff for same.

Revised Pre-Submission Consultation Form for 7 Meadow Place, Old Greenwich. 7/21/20 sent signed Pre-Submission application and letter to Race Coastal,

Pre-Submission Consultation Form to repair a 190 ‘stone seawall and build a new 110’x4 ‘pier and gangway at 54 Byram Drive, Greenwich. RACE is the engineer. The commission had great concerns about the non-compliant size of the proposed dock (155 ft) considering there are no other docks in the area and the extreme low tidal conditions mostly mud flats. Armstrong to contact Shellfish to request its inspection. Inspection planned for 9/29/20. Reviewed by HMC on 9/16 & 10/21/20. Unable to provide favorable recommendation.

Certificate of Permission Application to retain and repair the pre-1995 gangway and floating dock structure as well as maintain the existing stone masonry retaining wall and existing stone
reverent. Site is 7 Byron Road, Old Greenwich. Jill P is engineer at RACE. 10/2/20 sent to committee for comment. Reviewed by HMC 10/21/20.

Pre-Submission Consultation Form for 200 Shore Road in Old Greenwich to construct a 4 x 88 dock and boat lift and retain a pr-95 stone revetment. Engineer David Provencher at Coastline Consulting. HMC letter sent 2/2/21

Updated Pre-Submission form for an 81’ dock, 25’ gangway and 10x10 float at 3 Perkely Lane, Riverside. Chris Eggers of RACE is the engineer. The dock location would be at the head of Longmeadow Creek. HMC letter sent 11/11/20 requesting additional information. 12/29/20 Rec’d response from Chris Eggers (RACE) in response to HMC letter. HMC second OK letter sent 2/2/21

Pre-Submission Consultation Form for the footbridge at Greenwich Point Park, Engineer; Race Coastal. Sent to committee. Rec’d Shellfish Pre-submission Consultation Form signed by Roger Bowgen. HMC ok letter sent 2/6/21

Certificate of Permission Application for 708 Steamboat Rd, Greenwich to rebuild and repair substantial damage to an unauthorized seawall in Greenwich Harbor.

Coastal General Permit Registration for a 4/40 dock and stairs at 15 Northway, Old Greenwich.

The HMC voted unanimous to send an official letter at its 3/17 meeting, to Brian Thompson (DEEP) requesting that the state take whatever action to enforce removal of these lobster pot storage docks from the Mianus River. Letter in process.

Tod’s Driftway. The HMC no objections to this application at its 6/16th meeting. Letter sent 7/14/21.

COP for dock replacement at 17 Willowmere Circle, Riverside. HMC voted no objections at its 10/20/21 meeting to this COP moving forward

New Business

Three New Business Items for review at the 11/17/21 HMC Meeting

1. COP Application for 619 Steamboat Road, Greenwich, for a boathouse repair and seawall repair

2. LWRD License Application received for 21 West Way, Old Greenwich, to build a 8x20 floating dock in Greenwich Cove. Engineer Race Coastal

3. LWRD License Application Form D Certificate of Permission for 21 West Way, Old Greenwich to replace a 53’ long existing pier in poor condition. Engineer Race Coastal

USACOE had no posted actions in the GHA for the past month.
Harbor Management Plan ("HMP") Review – 11/01/2021 Meeting Notes

HMP Review Process / Considerations:

- HMP should be reviewed / revisited annually and/or from time-to-time findings reported at the December HMC meeting.
- Areas reviewed and/or other amendments to the Plan should not require re-doing the HMP document, nor review and approval from all the agencies initially involved, providing the proposed changes are minor in scope. They should be presented to the BOS and DEEP for approval in the form of a Plan Addendum from the HMC.
- Who should approve?
  - Consider holding a Public Meeting – Recap of HMC accomplishments, focus areas, public comment?
  - Ask both the public and all HM commissioners for their comments/ideas on possible amendments to the HM plan.

Areas to Review:

1. Littoral Rights – Riparian Rights: Littoral Rights is an issue of increasing interest in other towns as property owners in at least three CT towns have retained attorneys to argue for projects that are contrary to goals for protecting coastal resources and public rights.
   - Clarify that littoral rights are not absolute rights to be determined by the person who wishes to exercise those rights, but instead are rights of reasonable access to be determined based on conditions at the affected property and the need to protect public rights and interests in navigable water.
     - Property Owner Rights / Expectations – e.g., 24 hour access to navigable water; dredging to achieve this; right to a mooring; right to a super long dock)
     - Public Rights / Expectations – e.g., rights of reasonable access; review every property on its individual merit
   - Awaiting response from DEEP with regard to the Southport (?) application as to whether we want to clarify our regs on length, size of docks.

2. Protecting Shellfish Resources – need input from Shellfish Commission (Roger Bowgen / Susie Baker)

3. Boundaries – HMC vs Stamford – Stamford is willing to discuss with Greenwich – does it require action? – need input from Aamina Ahmad, TOG Assistant Attorney

4. Planning for Future Issues – need input from Harbor Master, Sean Jordan
   - Moorings in the Broader, Open Harbor Areas – e.g., Maxi-yachts – Fees, time limits, etc.
   - Non-traditional Water vehicles – e.g., Sea Planes; principle based / procedural (game plan) vs. prescriptive decisions (interaction with other regulators (e.g. FAA) – federal, state, local, etc.)
5. Five Year Harbor Management Plan (Improvement Project Plan)
   a. Priority list of Harbor Improvement Projects (infrastructure projects) what will serve as a basis for grant applications (in addition to dredging of Greenwich Harbor)
   b. Visiting Boater Moorings / Yachtsman Facility
   c. Water Quality Enhancement – (e.g., bridge in Binney Park)

6. Railroad Bridges – Mianus River Bridge replacement –
   a. Proposed guidelines / recommendations on HMC role in reviewing plan (based on Norwalk experience)

7. Meet with Katie DeLuca and Patrick LaRow from P&Z to clarify which applications their department receives that the HMC should review. We believe that any application that could impact coastal waters either directly or with run-off should be reviewed by the HMC

8. Ask Katie DeLuca for the clarification on the W-B zone approved by P&Z two (?) years ago
Good Day,

Please note the below written summary of activities:

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

<table>
<thead>
<tr>
<th>Date</th>
<th>Activity</th>
</tr>
</thead>
<tbody>
<tr>
<td>07 Nov 2020</td>
<td>Trip on HCM/HM Berth to Greenwich Cove and Riversid + Cos Cob</td>
</tr>
<tr>
<td></td>
<td>Boat ran better than previous trip</td>
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<tr>
<td>17 Nov 2020</td>
<td>Meeting at Town Hall with Bill, Joanna, Bill Jr and Justin Columbo</td>
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</tbody>
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Communications/Queries/Events from Public

<table>
<thead>
<tr>
<th>Person/Business/Name</th>
<th>Description</th>
<th>Action (open/closed)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Susan Weiss</td>
<td>Wooden Structure (unofficial swimming platform) reported in Greenwich Cove. She reports previous one of the blue floats used in construction broke away and washed up on the beach.</td>
<td>We have confirmed this structure is homemade and not incompliance with the HMP for vessel where it cannot be attached to a mooring. It is has also been clarified this structure does not meet the requirements for as swimming float according to DEEP Requirements and must be removed. Bill and the mooring vendors are urging the owner to remove the structure without the need of official action. Will need follow up in due course.</td>
</tr>
<tr>
<td>Sean T. Cardwell DPW</td>
<td>Broken piece of deck discovered at the opening of Oneida Drive Bridge</td>
<td>Request received from Mr. Cardwell of DPW, Mike as assisted by contacting Concalfage Marine to investigate retrieval.</td>
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</tbody>
</table>

Previous Items

<table>
<thead>
<tr>
<th>Person/Business/Name</th>
<th>Description</th>
<th>Action (open/closed)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Niki McCarthy</td>
<td>Query entered seeking to clarify if Ramp/Float dock at/near 25 Ledge Road. There appears to be a permit from LWRD however there is query if the location is correct Compliant challenges the location and claim it is currently an eye sore.</td>
<td>We have sent some emails internally to confirm if any known or open issues. We will now contact Jeff Cailoa of LWRD to clarify Site inspection performed where no dock is observed. It appears the boat in Ms. McCarthy's photos is registered with the Town. There are a few other moorings there which do not appear to be in the town system</td>
</tr>
<tr>
<td>Mooring in question is compliant with the town no further action required. Likely Niki will follow up direct with the HMC with more specific queries</td>
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</table>
| Chris Richardson (S/V Adia) | HM contacted by David Osler alerting us of request from Chris Richardson to move his mooring.  
After checking Mooringinfo system this vessel is not registered with the town and David is not included in the approved mooring vendors list. |
| Mooring Committee is working to gather the needed information to incorporate the town system. Chris has confirmed receipt of our emails verbally where we are chasing for his reply.  
Documentation has been submitted to the Mooring committee and it in good order. Mr. Richardson request to relocate his mooring however this will require getting on the waiting list Joanna has been in direct contact with him to confirm the process. |
| Jonathan Wilkes (S/V Mystic Pearl) | Verbal report received via Grass Island Dock Master of a line in water between S/V Mystic Pearl and near by mooring buoy. After checking our mooringinfo data this vessel is not registered with the town and appears to be moored to a winter stick.  
I have initiated contact understand he will remove the line and work with mooring committee to provide the required information for his mooring.  
Understand this has been resolved. Will need to verify.  
After rechecking locally this was not done. We will need to follow up with Mr. Wilkes to clarify the location in which he is permitted to moor. Currently he is not in the system. |

Appreciate all your assistance during this transition period while I figure out the systems and points of contact. Thanks!