

**FINAL**  
Town of Stonington, CT  
Stonington Harbor Management Commission  
Regular Meeting  
July 12, 2010  
7:00 PM  
Stonington Police Public Meeting Hall

A regular meeting of the Stonington Harbor Management Commission was held on Monday, July 12, 2010 at the Stonington Police Public Meeting Hall. Attending were Chairman Peter Vermilya, Alan Banister, George Kenyon, Rodney Johnstone, Jesse Diggs, Jean Dixon, Ed Smith, Sherman Crites and Deputy Harbormaster Charles Estabrooks. Harbormaster Eric Donch and William Abt did not attend.

**I. Call to Order**

The meeting was called to order at 7:00PM by Chairman Vermilya. Chairman Vermilya welcomed new Borough SHMC member, Sherman Crites, to the Commission.

**II. Minutes**

Mr. Banister motioned to accept the minutes of the June 14, 2010, meeting as amended and Mr. Kenyon seconded. The motion was approved unanimously.

**III. Correspondence**

Chairman Vermilya reported the following correspondence:

- A) Out of Jurisdiction
  - 1. Harbor View Terrace, Quana Duck Cove, dock permit initial application. The Consultation Form will be returned to Gerick Mereen stating "Not in Jurisdiction".
- B) In Jurisdiction
  - 1. DEP tentative determination to approve an application by Rosemary McKinney for a new fixed pier and boat lift at 55 Church St., Stonington Borough. The Commission had no comment.
  - 2. Request to be reinstated on the Wait List by Don Piccoli, posted June 18, 2010. The request was forwarded to the Asst. HM Estabrooks. The final date to request reinstatement to the wait list is unclear and will be resolved by Chairman Vermilya (see New Business, #A).
- C) Bills Paid/Outstanding
  - 1. Paid: Brian's Signs, \$170.00, for vinyl lettering "Harbormaster-Stonington" for Harbormaster boat topsides.
  - 2. Outstanding: Invoice for \$700.00 for Sandy Point "No Wake" signs. Chairman Vermilya commended Harbormaster Donch for his efforts on the sign replacement.

#### **IV. Treasurer's Report**

No Treasurer's Report was available in Mr. Abt's absence.

#### **V. Harbormaster's Report**

In Harbormaster Donch's absence, Chairman Vermilya presented several items that HM Donch had conveyed to the Chairman for the meeting. The complete Harbormaster report will be distributed this week (Attachment A).

- A) The Fish and Wildlife Department assisted HM Donch in the installation of the new Sandy Point "No Wake" sign. HM Donch will move the sign further inland after nesting season and will fly over Sandy Point to attempt to locate the old, vandalized sign in the water. The cost of the sign is \$700.00 for Brian's Signs and \$40.81 for materials. The expenses are not covered by insurance because the sign is not on town property.
- B) HM Donch spoke with Mr. Walter Johnson to clarify the name of Walter Johnson in the wait list position to acquire a new mooring. The wait list name is for Mr. Johnson's son, Walter, who has a boat registered in his name for the mooring.
- C) The Commission agreed to explore its options on the removal of MARMION from the harbor with a marine attorney.  
\*Mr. Diggs will consult a marine attorney acquaintance to determine feasibility of legal resolution.
- D) The Commission acted to participate in the repair costs to the float end of the Lobsterboat dock in recognition of SHMC use of the dock for the Harbormaster's boat without cost. Mr. Johnstone motioned to authorize up to \$300.00 to repair the float end of the ramp at the Lobsterboat Dock and Mr. Banister seconded. The motion passed unanimously.  
\*HM Donch will coordinate expenses and reimbursement with the dock personnel on behalf of SHMC

#### **VI. Old Business**

##### A) Mooring Data Reporting

- 1) Asst. HM Estabrooks reported that no new moorings were assigned this month.
- 2) The Commission discussed general mooring issues including availability, the assignment process, the renewal process and anomalies identified by a recent survey of harbor moorings

conducted by commissioners. The commission's priority is to ensure maximum public utilization of moorings through identifying available moorings as quickly as possible and expediting the assignment process. Mr. Johnstone proposed that when a mooring is offered and the person doesn't have a boat to put on the mooring for the current season; that person remains on the Wait List in their original position for a year. When a mooring is offered the following year, the person is dropped to the bottom of the Wait List if the person still has no boat.

\*The Commission requested that HM Donch provide a list of available moorings (given up or taken) by mooring # and date and their status for review at the next meeting.

Winter stakes at mooring locations in July need clarification and follow up as potential available moorings. Mr. Morris notified the Commission quite a long time ago to remove his winter stake in "Q" section as he had relocated his mooring. The stake was still in the water during the June survey and represents a potential mooring as well as inaction on Mr. Morris' request to the Commission.

\*HM Donch is requested to follow-up with the commercial mooring services if necessary regarding this stake to expedite resolution quickly.

Eight renewals have not responded to renew their mooring permits. Some are littoral which by their automatic/entitlement nature do not fit the standard renewal process with consequences for non-response. The Commission will review these mooring holders and decide upon the appropriate action.

\*HM Donch is requested to provide this list for Commission review.

Commercial mooring number alterations/discrepancies were noted in "T" area during the survey. The Commission suggested that commercial mooring providers be required to label their moorings with the SHMC section and number grid designation as well as their own commercial coding to enable easy identification and reporting.

\*Chairman Vermilya will solicit HM Donch input before the Commission acts on this suggestion. Maximizing mooring utilization continues to take priority over other proposals such as mooring re-numbering.

## B) 2010 Budget

- 1) Chairman Vermilya reported that the process of analyzing historical journal entries to determine appropriate budget categories is underway and should be completed by the August meeting.
- 2) Mr. Smith suggested that the Commission define the purpose, use and mission of the Harbormaster boat to provide a context within which capital budget expense proposals for the boat can be evaluated.

\*Mr. Smith and Mr. Johnstone will develop a statement of boat mission and use.

## C) 2010 Capital Expenditure Proposals

- 1) Mr. Diggs presented a paper on "Side Scan Sonar Applications for SHMC" for consideration by the Commission to purchase for the ROBERT G. Mr. Diggs concluded: "The technology exists today to provide comprehensive surveys of the Harbor and surrounding waters using "side scan sonar" at a very low cost. This "service" is a logical extension of the responsibilities of the SHMC to assure safe navigation within the Harbor and surrounding jurisdictions. The best commercial unit for this application is the Humminbird 798ci SI Combo, available for < \$1000."

The Commission recommended that other harbor commissions be surveyed for their use of the technology and possible sharing agreement.

- 2) \*The Commission requested that HM Donch present specifications and associated costs in support of his request to purchase and install radar for the ROBERT G for capital expense budget discussion.

## D) Harbormaster Boat/Pumpout Boat Dock Project

- 1) Chairman Vermilya provided the 2010 quotes for dock construction to CUSH on June 28, 2010: Gwenmor Marine - \$21,697 and Atlantic Marine - \$30,000.
- 2) CUSH reported on July 12, 2010:

Kate Brown of the CT DE has informed CUSH that the DEP has secured the DEP's share of the dock funding.

The grant application to cover the above funding is nearly complete and must be submitted by the new final date of August 2, 2010. CUSH is supplying the town's original share of the project.

The permit for the dock must be renewed by its September 25, 2010 expiration date. Docko will do this automatically.

#### E) No-Wake Buoy Proposal

Mr. Banister reported on the progress of the proposal to locate the buoys under marker permitting as recommended by DEP officials (reported in June 14, 2010 Minutes).

An on-the-water harbor survey of proposed buoy locations was conducted for DEP Boating Safety Officer, Michael Payton this month. Mr. Payton ruled that the proposal was unacceptable in that it would confuse boaters. He suggested that the entire harbor be designated a "Slow No-Wake" zone.

Mssrs Banister and Vermilya reviewed that proposal with various users of the harbor including Don's Dock, Dodson's Boatyard, Harboredge Condo Association, The Sailing Foundation, SHYC and the Fishermen's Association president; no objection was expressed by any party.

The demarcation line, defined under Mr. Payton's guidance, for the Slow No-Wake zone would run from Marker #8 at the west end of the Monsanto breakwater to Can #7 at the end of Penguin Shoal (green can) to Marker #5 at the east end of the west breakwater (green day marker); and continue from the west end of that west breakwater to the tip of Wamphassuc Point. All harbor area north of this demarcation line would be designated as Slow No-Wake.

Enactment of the proposal requires approval of Stonington Town Selectmen and a town ordinance. Once the town ordinance is approved, the application will be sent to DEP for their approval and four buoys will be placed upon permission from DEP.

Mr. Banister reported that the Shellfish Commission will lend the Commission buoys to be used for the no-wake zone and will give the Commission one year notice should they require the buoys returned. The Commission will relabel the buoys to reflect the "Slow No-wake" verbiage.

Mr. Johnstone motioned to proceed with an ordinance to designate as Slow No-Wake the area in Stonington harbor north of the demarcation line as here described: from Marker #8 at the west end of the Monsanto breakwater to Can #7 at the end of Pigeon Shoal (green can) to Marker #5 at the east end of the west breakwater (green day marker); and continue from the west end of that west breakwater to the tip of Wamphassuc Point. Mr. Banister seconded and the motion passed unanimously.

F) Review of Town Ordinances affecting Stonington Harbor

The Commission decided that the Stonington Harbor Management Plan (Ordinance section) is the only ordinance that governs harbor activities.

\*The Harbor Management Plan Review sub-committee will review the plan prior to submission to the DEP Commissioner who will review the ordinance for compliance with Connecticut statute. See New Business, B (ii).

G) Accuracy of .pdf Format Version of Harbor Management Plan  
See New Business, B (iii)

**VII. New Business**

A) Wait List Policy and Procedures

Mr. Banister initiated a discussion about the procedures governing wait list processing and mooring assignment. It was decided to continue the review when HM Donch is present so that he can clarify how procedures are implemented. Discussion ensued about how the policy that requires that a boat be immediately available for an open mooring is applied.

\*Chairman Vermilya will clarify the cutoff date for reinstatement to the wait list.

\*Asst. HM Estabrooks/HM Donch will provide list of open moorings, date available and persons/dates to whom these moorings have been offered.

B) Stonington Harbor Management Plan Rewrite

Mr. Diggs cited recent issues that the Commission has addressed in the context of the Management Plan and its intent in these matters including multiple moorings, littoral mooring administration, mooring applicant attributes (age, residency). The Commission acknowledged the need to ensure that the Management Plan continues to be consistent with the intent of the regulations when written and to update

the Plan to ensure that the regulations do not support unintended consequences.

\*The Harbor Management Plan Rewrite sub-committee was re-activated and includes Mr. Johnstone, Mr. Crites and HM Donch. The committee will review the Plan to:

- i) ensure that the ordinance produces results that are consistent with the Plan's intent
- ii) review the plan for submission to DEP Commissioner review
- iii) verify Plan hard copy with .pdf copy.

### **VIII. Public Comment**

There was no public comment.

### **IX. Adjournment**

The meeting adjourned at 9:03 upon a motion by Mr. Kenyon. The motion was seconded by Mr. Banister and approved unanimously.

Submitted by Jean D. Dixon

\*Indicates action items

## Attachment A

### **Harbormaster Report**

July 12, 2010

New Mooring permits issued: 0

Moorings being given up (this month): 0

New Mooring assignments offered: 6

Additions to Waiting List: 0 Total: 196

Deposits to SHMC account since last report: \$ 0 (2010 YTD = \$7420)

Mooring Renewal Status:

Renewals sent: 275 (272 private, 3 commercial (114 DBY, 11 DD, 5 CC)) 402  
total

Replies to date: 246 Approved

14 Pending (includes Larsen – Deployed)

12 Not received (includes Marston - will be late, Buck - Jail)

3 Given up(Farrell, Galindo, Robins)

Installation of the new “SLOW NO WAKE” sign on West end of Sandy point is complete. Stewards from The Fish and Wildlife Department assisted in installation of new sign.

Contacted Walter Johnson to clarify issue of application for second mooring. New mooring is in the name of Walter Johnson’s son. Young Walter has a boat registered in his name for the mooring.

Suggest Harbor Commission look into legal council to get Marmion removed from the harbor.

Robert G

Suggest Harbor Commission look into repairing the ramp to the “shellfish dock” where Robert G. is docked. We have never been charged for use of the slip and I feel it would be a fair reciprocation for the use of the dock.

Respectfully Submitted

Eric Donch

Stonington

Harbormaster