

Stonington Harbor Management Plan

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Stonington Harbor Management

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1. Introduction

1.1 The Need

In order for the voters of Stonington to be able to assess the need for having a management plan for Stonington Harbor, a brief review of the history of harbor events over the past two decades is given here.

Prior to the mid-1970's, Stonington Harbor was an uncrowded, well protected and popular anchorage for recreational boats, both locally based and transient. Mooring spaces were plentiful and free, needing only the Harbormaster's verbal approval. Written permits were not required and records were few. Dock structures were few and unobtrusive.

The next decade saw profound changes in the harbor. The demand for moorings had greatly intensified. Mooring areas had become crowded. Some were overcrowded primarily from the unauthorized emplacement of both individual and commercial moorings. The Harbormaster had closed the harbor to new moorings in early 1985 and accumulated a waiting list of roughly one hundred applicants. Publication of the closure notice had brought in even more unauthorized moorings. A black market soon developed with individual moorings being bought and sold, some for thousands of dollars; others were leased out for a fee. Some people held one or a number of moorings but owned no boat; other moorings lay unused year after year. Along the shore, new docks and dockominiums sprang up, permitted by the State but lacking approval by any local authority, i.e. a Planning & Zoning Commission. The latter's jurisdiction stops at the water's edge - the Mean High Water mark. Neither Town nor Borough are empowered to regulate structures built in the water.

Although it was not widely known, the State of Connecticut holds the legal title to all navigable waters and the lands under them (i.e. harbor bottom) which precludes individual ownership of mooring spaces.

The Harbormaster and Deputy, employees of the State rather than the Town, while holding full time jobs elsewhere, faced an overwhelming task: administering about 400 moorings needing annual renewal, with no specific rules in force, no clerical help, no official boat to use, and no salary beyond a \$400 - later \$700 - annual stipend plus reimbursement for expenses. They sorely needed the guidance of a management plan and ordinance, and the assistance of a Harbor Commission. The last three Harbormasters have said just that.

In short, Stonington Harbor had gone out of control. It remains largely in that state today, in spite of the mechanism to solve all of the foregoing problems being within easy reach: a comprehensive and enforceable Harbor Management Plan.

In 1984, the State of Connecticut enacted the Harbor Management Act, which authorizes towns with harbors to establish harbor commissions, which can prepare management plans and implement them, after securing state approval and enactment by the local legislative bodies. The following coastal towns have done this: Bridgeport,

Chester, Clinton, East Lyme, Essex, Guilford, Milford, Mystic River (Groton), Mystic River (Stonington), Noank, Norwalk, Norwich, Old Lyme, Southport, and Stratford.

The Stonington Harbor Management Commission has existed since early 1985. In 1987, it was in effect reorganized as a joint Town/Borough commission. It has prepared four successive State-approved Plans which have been accepted by the Borough Board of Warden and Burgesses, but rejected by the Town Meeting. The need for enactment of a Harbor Management Plan and Ordinance has in no way diminished; to the contrary, it has increased.

1.2 Benefits

There are clear and substantial benefits to be gained by this community through enacting this Plan:

- The harbor is for everyone and future generations to use and enjoy. The Plan establishes a guide to preserve this great asset. The Plan strives to preserve and protect the local environment by working closely with State and Local bodies, such as the Stonington Shellfish Commission and the DEP (Department of Environmental Protection).
- The Plan will give Stonington for the first time a strong voice in matters concerning proposed uses within the harbor. The Harbor Management Commission will be empowered to review all proposed development on property contiguous to the harbor. Furthermore, State agency decisions affecting the harbor must be consistent with the Plan's policies and with the recommendations of the Stonington Harbor Management Commission, unless the State agency shows cause why its decision should differ from the Commission's recommendation.
- The Plan will enable the Town to eliminate the gross unfairness in the acquisition and allocation of moorings; and to ensure for future generations equal access to this valuable but limited resource.
- The Plan will provide for a much safer harbor through improved specifications for mooring tackle.
- The Plan will make possible the appointment of locally chosen Harbormasters, and provide substantial assistance in the performance of their duties. State Statutes provide that if a harbor management plan has been adopted by a municipality, the Governor shall make the appointment from a list of not less than three persons submitted by the Harbor Management Commission. Also decisions by the Harbor Master, a state employee, must be consistent with the plan, a safeguard for the people of the Town.

- The Plan enhances the preservation of the harbor environment through coordination with other local and State agencies; i.e. the State Department of Environmental Protection and the Stonington Shellfish Commission.
- Finally, the proposed Ordinance requires that all funds necessary for implementing this Plan will come only from users of the Harbor through mooring fees; no tax revenues will be needed.

1.3 Description of this Document

This document is divided into two basic parts, the Plan, and the Ordinance. The entire document must be adopted by a Town Meeting and by the Borough Warden & Burgesses, in order to go into effect. The plan provides background and a rationale for the ordinance, while the ordinance itself will be enforced by the Harbormaster after its adoption. As an example, the Plan recommends establishment of "a mooring plan" which provides for orderly and equitable administration of mooring permits, priorities and records, (Page 17). The Ordinance, starting on page 21, then describes a system to accomplish this purpose.

Following the Plan and the Ordinance are two appendices. Appendix 1 is a summary of shellfish habitat in the Commission's area of jurisdiction, and Appendix 2 is the State enabling statute which establishes the procedures whereby municipalities are empowered to initiate the Harbor Management process.

The Stonington Harbor Management Commission was created by concurrent ordinances adopted by the Town of Stonington on May 31, 1989 and by the Borough of Stonington on May 17, 1989. These ordinances set forth the reasons for creating the commission, its membership, powers and duties, and its jurisdictional limits. In the Borough, ordinances lapse after ten years. The Harbor Management Ordinance was readopted by the Borough on March 3rd, 1999.

2. Physical Condition and Harbor Setting

2.1 General

As shown on town maps, Stonington Harbor has a north-south measurement of 1.1 nautical miles. It has 4.4 nautical miles of shoreline and lies within the Town of Stonington.

The northern part of the harbor is bounded by a railroad causeway which separates the harbor from Lambert's Cove. Passages exist under two railroad bridges that are serviced by a Federal channel within the harbor.

The western shoreline consists of rock bluffs and headlands along the southern part at Wamphassuc Point. Moving northward, there are minor escarpments and low beaches. Coastal resources in the harbor are shown on Chart II.

2.2 Ocean Swells

Because Stonington Harbor is partly open to the south, long ocean swells frequently come into the harbor. They are particularly noticeable at high tide as they cross the reefs east of Fishers Island.

These swells (surges) affect most boats and structures in the harbor. When strong winds blow from the south these surges can grow to 4 foot waves. This is a good reason why boat owners prefer to have their boats on moorings so that they can better cope with the wind and waves from the south.

2.3 Water Depth

Harbor Management Plan Chart III shows the depth of water at Mean Low Water (MLW). The sources for these water depths are government charts and soundings taken by DiCesare-Bentley Engineers in 1983.

The Army Corps of Engineers (ACOE) has been responsible for maintaining the breakwaters and the depth of water within the harbor. In 1957 dredging was completed on Penguin Shoal to a depth of 10 ft. and to 12 ft., from the Town Dock to the Monsanto Breakwater.

2.4 Shoreline Flood Potential

The average tidal range for Stonington is 2.7 ft., with a Spring range of 3.2 ft. Flood Insurance studies of 1980 and 1982 cite the possibility for extensive flooding caused by a 100 year storm. Maximum flooding of 16 ft. above MLW at Stonington Point and 14 ft. in the northern part of the harbor is possible. In such a storm all waterfront facilities would be flooded or destroyed by wave and wind action.

2.5 Harbor Protection

Three stone breakwaters (shown on Chart I) provide some measure of protection to the harbor except under extreme tropical storm conditions with winds from the southeast through the southwest quadrants.

2.6 Water Quality

The waters of Stonington Harbor are classified by the State as SB - suitable for bathing, recreational uses, industrial cooling and certain shellfish harvesting. The area is a wildlife habitat and has aesthetic value. One of the Town Water Pollution Control facilities is sited in Stonington Harbor.

2.7 Anchorage Areas

Chart III shows areas that have been dredged by ACOE and are therefore considered to be Federal Anchorage Areas available for the use of all U.S. citizens without regard to State or Town residency. This chart also shows Special Anchorage Areas determined by the U.S. Coast Guard, which permit vessels less than 65 ft. in length to anchor without regard to the use of anchor lights or fog signals.

3. Harbor Uses

3.1 General

Stonington Harbor is an extensively used boating resource for both commercial and recreational purposes. It is the home port of Connecticut's last remaining commercial fishing fleet. Approximately 400 recreational boats are moored here.

Stonington Harbor is one of the most popular ports in New England for visiting cruising yachts, and has become an important center for organized sailboat racing. Other recreational uses include sport and shoreside fishing, motor boating, daysailing, small boat instruction, windsurfing, scuba diving and swimming.

3.2 Town Dock Facilities

The Town Dock consists of two concrete and rock piers, extending from the eastern shore towards the channel. The north or main dock is approximately 618 feet long and houses a fish off-loading facility on its south face. The second pier is located just to the south, and is approximately 452 feet in length. It provides some wave shelter to boats moored in the water between these two docks. Depths between the two docks start at 7 feet at the east end sloping to 15 feet by mid pier. Approximately 18 draggers and 14 lobster boats are assigned berths and there was a list in 1994 of 10 additional vessels that had requested berthing space.

The west end of the south dock is unsuitable for berthing because of its exposed location and the dock is used only for short term tie up. The southerly face of the northerly dock is also limited for berthing because of its exposed location, with the westerly portion not being used at all. Vessels moored adjacent to the fish packing facility cannot unload during periods of high waves caused by southerly winds or during periods when offshore storms create a surge in the Harbor. It was reported that on several occasions boat crews had to man the vessels while tied to the dock during storm conditions, and in some instances had to keep the engines in gear to keep the vessels off the dock.

The northerly face of the north dock provides a more sheltered area and some vessels are berthed in this area.

Over the past few years there have been several improvements made at the Town Dock. New piles and decks have been installed on both the north face of the southerly dock and the south face of the northerly dock. The Ice House was reconstructed a few years ago, but further expansion is planned to provide for more extended offshore fishing. The Fish Packing facility provides capabilities for unloading two vessels at one time.

3.3 Mooring and Anchorage Areas

The Special Anchorage Areas discussed in Section 2 are used by recreational boats for both permanent and transient moorings. The mooring areas suitable for keel draft boats are now (1998) near capacity and have been so for the past decade. The Harbormaster, who is responsible for assignment of mooring locations throughout the harbor, currently has approximately 100 mooring permit applications on a waiting list. There are some individual moorings outside of the currently designated Special Anchorage Areas, but none within any navigational channels. Modest expansion of the current Special Anchorage Areas seems feasible, and such expansion could accommodate some of the individuals on the waiting list. For example, the region just to the north of the inner breakwater would be highly suitable for designation as a Special Anchorage Area, given its deep water, protected area, and location adjacent to an existing Special Anchorage Area.

Of the approximately 400 permanent moorings located within the Stonington Harbor, approximately 130 are approved commercial moorings. The remainder are individually owned. The Commission believes that the existing ratio of individual to commercial moorings (roughly two to one), which has prevailed for decades, is appropriate and equitable and should be maintained. If the demand for commercial moorings should increase or decrease in the future, the ratio could be adjusted by the Harbor Management Commission to meet the needs of the public. No commercial moorings may be permitted in Federal navigation project areas, of which there are two in Stonington Harbor.

During the boating season, an additional 300 or more boats may visit Stonington Harbor each week. Further, the harbor is regularly visited by groups of sailboats cruising together. Some of these visitors are accommodated by empty commercial or individual moorings, but some are not. For this reason, and also because it is required as a consequence of past Federal dredging projects in Stonington, the Commission recommends establishment of a transient anchorage area in the harbor. The proposed area is shown on Charts I and III.

3.4 Available Harbor Services

One full service boatyard and marina is located in the northeast corner of the harbor. The yard owns and services commercial moorings within the harbor. Service includes seasonal and transient mooring rentals, as well as a travel lift. Fuel and sanitary pump-out facilities are available including free public toilets.

The boatyard operates the only commercial launch service available. Service is provided to renters of the commercial moorings and for a fee, to both private and transient anchored boats. The launch has a shoreside landing float at the yard. A small boat commercial marina located just north of the railroad bridge at the head of the harbor services commercial moorings in the harbor as well as several individual moorings. The marina provides small motorboat storage and tie-up and a few rental outboard skiffs. Service here is confined to small boats owing to the limited vertical

clearance of between 2 to 5 feet under the railroad bridge.

Within the Town of Stonington, there are 12 commercial small boat launching ramps. One is owned by the State at Barn Island; another located adjacent to the south side of the fishing dock is owned by the town.

The Town of Stonington leases to the Stonington Small Boat Association (SSBA) storage area adjacent to the town launch ramp for recreational boating activities. Here small craft may be launched, hauled, and stored on small hand-operated dollies. Motor vehicles are not allowed. Boat storage is available to members of the SSBA who must be town residents. The general public may launch and haul small craft by hand. This beach is used for Wednesday night sailboat races. Visiting cruising boats use this area also for landing their dinghies. (See Chart III)

3.5 Public Access

Public Access to the harbor means many things. For example, it could mean a public dock at which boats could land, a public walkway affording a view of the water, or simply a vista at the end of a street. It does not include unrestricted access to private property.

Chart No. IV at the end of this document shows the sites of public access to both Stonington Harbor and the waters on the east side of Stonington Borough.

Site 1 is an existing platform at the west end of the Town Dock's North Wharf, which provides for recreational fishing and viewing of the harbor by the public.

Site 2 is a location proposed for a new public dinghy landing on the south side of the South Wharf at the Town Dock property. Such a landing is required by the U.S. government in return for the Federal dredging of the harbor, both past and future. Funding for its construction and maintenance would come from mooring fees and possibly government grants, rather than from taxes.

Site 3, is the small beach and boat launch area adjacent to the Stonington Small Boat Association boat storage area.

Site 4, is a shoreside public walkway adjacent to Harboredge Condominiums leading west to the flagpole.

At Site 5, Wayland Wharf has a small dock and a limited temporary dinghy landing. The terms of the grant which conveyed the property to the Borough in 1921 state that it is "not intended for commercial purposes but as a place for pleasure and enjoyment of the people of the Borough".

Site 6, the Inner Breakwater, has a public right-of-way connecting it to Water Street. However, hurricane damage has left the breakwater in such disrepair as to be dangerous. Rebuilding would maximize its use for boating, fishing and other

recreation. Such rebuilding should be part of any future development of the property. This site would also be suitable for a public dinghy landing on its north side after repair.

Site 7, Stonington Point, is heavily used by the public for parking, swimming, scuba diving, board sailing and general recreational uses. DuBois Beach, owned by the Village Improvement Association, is open to the public for a small fee.

Site 8 through 12 afford water views and varying degrees of physical public access to and from the water. They are best visited by foot, as parking is scarce or non-existent nearby. Sites 10 or 11 may have potential as a dinghy landing site.

Site 13 is the State owned boat launch ramp and parking lot on Randall Neck, east of Wequetequock Cove. See Chart I.

3.6 Shellfish Concentration Areas

The area within the jurisdiction of the Stonington Harbor Management Commission provides an excellent habitat for a wide range of shellfish. It is an important source of adult shellfish for recreational and commercial activity, as well as breeding stock for populations of hard and soft clams, scallops, oysters, and other bivalves. These important resources, which are managed by the Stonington Shellfish Commission, require careful consideration in the harbor management process.

The Stonington Harbor Management Commission will coordinate efforts with the Stonington Shellfish Commission to ensure mutually supportive policies. Special emphasis will be given to placement of moorings and docks, since the numbers and placement of boats can have a negative impact on the use of shellfish populations. The Harbor Management Commission will send to the Shellfish Commission copies of all business that has the potential to affect the use, health, or management of the shellfish resources of the Town of Stonington. Appendix 1 (Page 37) provides a description of the existing shellfish situation and the applicable rules.

3.7 Wharves and Piers

In recent years there has been considerable activity by property owners on both the east and west shores of Stonington Harbor in the construction of wharves and piers. This activity could affect the natural resources of the harbor, as well as have a serious impact on the harbor's aesthetic quality. Although not yet a severe problem, this wharfing out, if not checked, would have a severe impact on water use in the harbor for moorings, for recreational sailing and boating, and even on the channel utilized by the commercial fishing fleet.

The character of wharf and pier construction has reflected the development of adjacent land areas. On the west side of the harbor, the shoreline contains single family residences on large lots. Here the pattern of dock construction has been that a homeowner has usually built one dock, not to keep a large boat but to keep small boats

and dinghies which are used to provide access to larger boats which are generally kept on moorings. Here, since the water is generally shallow, docks must be quite long, on the order of 100 feet, even to keep a dinghy afloat. However, it is desirable to keep docks here as short as possible to preserve as much open water as possible. It is also desirable to minimize dredging in order to preserve natural resources.

On the east side of the harbor the situation is different. The deeper water has given rise to the generally commercial and institutional character of much of the land use. There are also some areas of single-family residences on small lots. Generally, here the various types of land uses call for a variety of types of docks, but it appears desirable to keep them as short as possible for the reasons given above.

On the southeast shore of the harbor lies the former Atwood property, a large deserted industrial complex with several hundred feet of unused waterfront. The Borough Planning and Zoning Commission will have to approve any proposed redevelopment here, but the Harbor Management Commission must carefully review that proposal for impact on the harbor.

There is no single solution to the question of how best to manage dock construction. For this reason, the Commission has established the review guidelines presented in Section 6 (Page 19).

4. Goals, Problems and Recommendations

4.1 Goals

Goal 1. To establish short and long term policies, guidelines and strategies to be used by Borough, Town, State and Federal Agencies for guiding decisions affecting Harbor uses and development.

Goal 2. To establish an increased role for the Borough and Town of Stonington in the management and regulation of Harbor-area activities through implementation of a Harbor Management Plan incorporating the above policies, guidelines, and strategies. This will require the following:

- a. Establishment of procedures for efficient and coordinated administration and management of the harbor by Borough, Town, State and Federal Jurisdictions.
- b. Promotion of public awareness of the effect of harbor-related activities on the quality of life in the Borough and Town, and thus support for Harbor Management.

c. To plan for and regulate use of the Harbor in a manner that assures safe, orderly and efficient use of the water and the waterfront.

Goal 3. To protect the natural and man-made resources of Stonington Harbor.

4.2 Problems and Recommendations

The problems described below are associated with the current condition and use of Stonington Harbor. With each problem are also presented the Harbor Management Commission's recommendations for its alleviation. The problems have been organized in the following groups:

- Moorings and Anchorages
- Commercial Fishing
- Other Water Uses and Safety
- Water Quality
- Shoreside Development

4.2.1 Moorings and Anchorages

Problems:

- A. The present lack of accountability for individual mooring assignments exacerbates the problem of accommodating the constant demand for deep water moorings.
- B. The demand for deep water moorings exceeds the apparent supply. This imbalance is expected to be permanent.
- C. The absence of established standards for adequacy of mooring tackle (such as scope, weight and size of chain and anchors) contributes to unsafe conditions in the mooring areas, particularly when a tropical storm sweeps the area.

Recommendations:

- A. Establish a mooring plan which provides for orderly and equitable administration of mooring permits, priorities and records. All mooring emplacement, retention and moving should be controlled by the Harbormaster.
- B. Mooring spaces will first be allocated to those owners of registered moorings in the harbor during the previous boating season. After that, moorings will be allocated by the Harbormaster from the waiting list.
- C. When a permit holder no longer needs a mooring, that mooring will revert to the Harbormaster for reassignment.
- D. Commercial moorings will not exceed the current level of approximately 35% of all deep draft moorings in the Harbor, subject to minor change by the Commission.
- E. Expand Special Anchorage Areas to accommodate additional boats, by permission of the U.S. Coast Guard.
- F. The Transient Anchorage Area shown on Chart I should be reserved for transient vessels for periods not to exceed seven consecutive days.
- G. To reduce the danger of collision by boats moored to inadequate mooring tackle, particularly during heavy weather, mooring tackle specifications should be established as guidelines, and provision made for regular inspection of mooring tackle.

4.2.2 Commercial Fishing

Problems:

- A. Potential loss of the commercial fishing fleet because of a shortage of berthing spaces for local and transient vessels.
- B. Surge at Town Dock.

Recommendations:

- A. Implementation over time of the recently completed plan for the Town Dock which was sponsored by the Southern New England Fisherman and Lobstermen's Association and the Waterfront Commission. This plan includes the repair of the wooden dock space on the north side of the Town Dock, and extension of the south Town Dock.
- B. Extension of the inner and outer breakwaters for the reduction of the far field wave and surge that disrupt off-loading and boat tie-up is not a realistic goal at this time. Any extension will be well into the future and primarily for expansion of the harbor.

4.2.3 Other Water Uses And Safety

Problems:

- A. With increasing demand for mooring, anchoring, and wharfing out, open water for small boat sailing, racing, rowing, and instruction could be badly restricted.
- B. Excess speed, principally by power boats, creates danger to small boat operators and danger to moored and anchored boats and shore facilities as well as slow erosion.
- C. Unrestricted swimming and scuba diving within fairways and channels are hazardous because of boating activity.
- D. Water skiing is hazardous where there is a concentration of boats underway, anchored, or moored and when swimmers may be present.
- E. Any fixed fishing equipment such as gill nets and lobster pots can be hazardous within Stonington Harbor.

Recommendations:

- A. The Mooring and Anchorage Areas shown on Chart I constitute the planned limits of expansion for these purposes within Stonington Harbor. All other water areas will remain open for recreational boating activities, except where particular activities are prohibited for reasons of safety and where structures have been authorized by state and federal permits.
- B. Enforcement of State regulations concerning boat operation, wakes and speeds.
- C. An ordinance prohibiting swimming and scuba diving in Coast Guard designated channels and locally designated fairways.
- D. Enforcement of current laws governing placement of fixed fishing gear in channels, fairways and mooring areas.

4.2.4 Water Quality

Problems:

- A. State law is not enforced regarding sewage discharge by boats, leading to a potential deterioration of water quality.
- B. Floating trash exists and is a defacement.
- C. Shellfish harvesting is restricted by pollution.
- D. Floating homes and other liveaboards constitute a pollution hazard, and in the case of floating homes adversely change the character of the harbor.

Recommendations:

- A. Support discharge enforcement by the Harbormaster and Police.
- B. Pursue the designation of Stonington Harbor as a No Discharge Zone, under Sec. 312 of the Federal Clean Water Act.
- C. An ordinance prohibiting dumping. Provide for enforcement by Harbormaster and Police, and periodic harbor cleanup.
- D. Adopt an ordinance to regulate floating homes and liveaboards.
- E. Increase awareness of boaters through education.

4.2.5. Shoreside Development

Problems:

- A. Equitable utilization of water area for wharves vis-a- vis other uses such as moorings, navigation, access, recreational sailing, etc.
- B. The need for an additional facility for transient small craft landing and dinghy tie-up.
- C. Further loss of existing water-dependent uses along the developed shorefront, or potential future development of non-water-dependent uses.
- D. Tidal Wetlands are in jeopardy of being lost or despoiled by dredging, dumping, filling, and like activities.

Recommendations:

- A. Establish guidelines for the construction of wharves and docks or other facilities. (See page 19)
- B. Implement procedures for review and comment in accordance with the above guidelines by the Harbor Management Commission on all applications to the DEP and ACOE for wharf and dock construction. All applications to the Town and Borough Planning and Zoning Commissions for waterfront development in the harbor should be reviewed in accordance with the State Statute concerning Harbor Management.
- C. The above reviews should also be concerned with potential loss of water-dependent uses, loss of public access, and maintenance of tidal wetlands.
- D. The establishment of a floating dinghy landing tie-up facility for use of transients.

5. Stonington Harbor Mooring Plan

Mooring areas for boats with a draft of 4 feet or more are filled to near capacity, and there is a waiting list of about 70 applicants for any vacancies. Boats drawing less than 4 feet can find some available space west of the main channel.

There are approximately 240 individual moorings in place with the number gradually increasing each year through illegal placement of moorings without permit. Such a condition makes it almost impossible for even a diligent Harbormaster to efficiently manage the moorings in the harbor.

This plan has the following main features:

- A. Grandfathering: Basic to this plan is the decision by the Commission to grandfather the moorings in place in the harbor in the summer of 1987, the date of the first mooring inventory. Moorings put in place since the summer of 1987 must have a valid permit from the Harbormaster. Upon adoption of the Plan a restriction of one permit per person will go into effect.
- B. Permits: Effective administration of the plan requires that all mooring owners, including those who have been grandfathered, have valid permits with identification of the owner on the mooring buoy.
- C. Permit Transferability: Mooring permits are not transferable. This includes transfers within the family. When the holder of a individual mooring no longer keeps his or her boat on the mooring, the Harbormaster shall be notified by the holder, and the mooring will become available for reassignment from the waiting list. The permit holder may not lease or sell the mooring location. Spouses are automatically considered co-permittees.
- D. Shorefront Property Owners: Owners of waterfront property retain a long-standing legal right to access navigable water from their property. This plan gives shore-front owners precedence over other permit applicants for one mooring in adjacent waters, except within Federal Navigation Projects.
- E. Mooring Permits : will be renewed annually in January upon payment of \$20.00. Permits not renewed by March 31 will risk assignment of their mooring space to an applicant on the waiting list if the permit holder fails to contact the Harbormaster to explain the cause of the delay in renewal.
- F. Record Keeping: An alphabetical list of names holding valid permits will be maintained in the Town Hall in an area visible to the public. A waiting list of applicants for a mooring permit will be similarly posted. Both lists will include date of permit or date of application for a permit, name of person, home address (no post office box numbers), telephone number, and length and draft of boat.

Mooring permits will be in duplicate form. A mooring renewal form or an application for a mooring, when properly completed, will be date stamped by the Harbormaster. One copy will be returned to the boat owner as proof of receipt by the Harbormaster.

- G. **Settlement of Disputes:** Any dispute arising between a mooring permit holder or an applicant for a permit and the Harbormaster or the Commission over the interpretation or intent of these regulations will be settled in a public meeting. The boat owner will request the meeting from the chairman of the Commission in writing. The chairman and four other members of the Commission, chosen by the chair, will form a panel to settle the dispute.

- H. **Mooring Fees :** will be used exclusively by the Commission and the Harbormaster for the administrative expenses of the plan ashore and afloat. No tax of any kind will be proposed or levied on any Stonington resident for the administration of any part of this plan.

6. Harbor Development Plan

Upon adoption of the Harbor Management Plan, the Commission will have the power under Section 22a-113p of the Connecticut General Statutes to review and comment on all applications to municipal agencies which involve proposals for development of property on or contiguous to the waters of the Commission's jurisdiction. The principal agencies involved will be the Town and Borough Planning and Zoning Commissions. In addition, under Subsection 22a-113n(b) of the statutes, the Commission will have the power to review and comment on proposals for actions by State agencies which would affect development in the harbor. In making such comments, the Commission intends to follow the guidelines presented below:

- A. That no channel or fairway designated in the Plan (Chart I) will be restricted or reduced in width.
- B. That areas for mooring, recreational boating, and sailing will not be unduly restricted.
- C. That the proposal will not cause water quality or other coastal resources to be degraded.
- D. That the proposal is in general harmony with the aesthetic character of the harbor.
- E. That the proposal is in general harmony with zoning and current land use on the property in question, and will not adversely affect water use by adjacent properties.
- F. That the intensity of proposed development is in general harmony with that of existing activities in adjacent areas within the Commission's jurisdiction.
- G. That public use will be encouraged. An example of public use could be a marina, which provides services to transients, in contrast to condominium docks, which are owned by private individuals.

7. Management Approach

A. Town-Borough Coordination

Communication and coordination between the Town of Stonington and the Borough of Stonington must be maintained in order for this Plan to be effective. It shall be the responsibility of the Chairman of the Stonington Harbor Management Commission, or his designee, to act as the liaison between this Commission and all Borough and Town governing and legislative bodies, commissions, boards and agencies.

B. Source Of Funding

Upon adoption of a Harbor Management Plan by the Town and Borough of Stonington, the source of all funding for the implementation of the Plan shall be confined to the mooring user fees collected annually by the Harbormaster.

There shall be no use of general tax revenues from the Town or Borough of Stonington in the annual budget of the Stonington Harbor Management Commission.

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Article 1 : General Provisions

Sec. 1 **Title:** This Ordinance shall be known as the Stonington Harbor Management Ordinance.

Sec. 2 **Applicability:** Unless otherwise provided, each provision of this Ordinance shall apply to:

- A. The waters lying east of Wamphassuc Point, south of the Conrail railroad embankment and the shoreline eastward to the Borough of Stonington, west of the western shoreline of the Borough of Stonington and north of the westerly breakwater and of a line between its eastern end and the red and green buoy "SP" lying south of Stonington Point, which waters are herein defined as "Stonington Harbor;" and to
- B. The waters lying east of the eastern shoreline of the Borough of Stonington and north of a line running from the aforesaid buoy "SP" true east to the Connecticut-Rhode Island border, thence following the state border north and thence generally eastward to buoy "19" thence north to the tip of Pawcatuck Point, which waters include Wequetequock Cove and portions of Little Narragansett Bay.

Sec. 3 **Area Chart:** A chart showing the waters to which this Ordinance applies as well as the mooring and anchorage areas of Stonington Harbor is included in the Stonington Harbor Management Plan as Chart I and is made a part of this Ordinance.

Sec. 4 **Invalidity of Provisions:** Should any provision or provisions of this Ordinance be held invalid or inoperative, the remainder shall continue in full force and effect as though such invalid or inoperative provisions had not been determined.

Sec. 5 **Harbor Management Fund:** In accordance with Secs. 22a-113l and 22a-113s of the Connecticut General Statutes, a Stonington Harbor Management Fund is hereby established to provide for the costs of administering the Stonington Harbor Management Plan.

The Stonington Harbor Management Commission (the "Commission") shall propose a fee schedule for mooring permits. The intention of the Commission is to hold mooring fees at a level no higher than necessary to pay for essential costs, while avoiding costs to Town and Borough Government. By State Statute, the annual fee for a mooring permit shall be approved by vote of the legislative bodies that established the Commission.

The Harbormaster or Deputy Harbormaster shall collect all fees and deposit them into an account maintained by the Commission and administered by the Town of Stonington. The account shall be used for the maintenance and improvement of the waters under the jurisdiction of this Commission for the public and for expenses for personnel, equipment, and services directly related to the function of the Commission or the Harbormaster or the Deputy Harbormaster. All expenditures shall require the approval of the Commission with payment orders to be signed by a Selectman and the Town Treasurer. No member of the Commission shall receive compensation from the Fund for services, but may be reimbursed for any necessary expense. Upon adoption of this Plan and establishment of the Harbor Management Fund, no Town or Borough tax revenues shall be used in administering this Plan.

Article 2: Safety And Traffic Control

- Sec. 6 **Defective or Dangerous Conditions:** Whenever any vessel, structure, or floating facility within the harbor is found to be defective or damaged so as to be unsafe or dangerous to persons or property, it shall be rendered safe or no longer dangerous by the owner within 30 days.
- Sec. 7 **Traffic and Speed Control:** The Harbormaster and Stonington Police Department shall have authority to control waterborne traffic as specified in Section 15-154 and other applicable State Statutes.

Reckless operation of a vessel is an offense punishable by fine or imprisonment or both. The laws governing this offense are set forth in Sections 15-140 k and 15-140 m of the Connecticut General Statutes.

Article 3: Harbor Use Regulations

- Sec. 8 **Enforcement Authority:** The Stonington Harbormaster or Deputy Harbormaster shall enforce the provisions of the Stonington Harbor Management Plan, including this Ordinance. The Harbormaster or Deputy Harbormaster may cite any alleged violators of this Ordinance. All uniformed officers of the Stonington Police Department shall have the authority to enforce the provisions of this Ordinance.
- Sec. 9 **Penalties:** Any person who violates any provision of this Ordinance shall, upon conviction thereof, be punished by a fine of not less than \$10 per day and not more than \$85.00 per day.
- Sec. 10 **Liability:** Any person using Stonington Harbor or its maritime facilities shall assume all risk of personal injury or loss of life and all risk of damage or loss to their property. Both the Town of and Borough of Stonington assume no risk on account of fire, theft, Act of God, or damage of any kind to vessels within the area under the jurisdiction of this Ordinance, nor responsibility for personal injury or loss of life within the same area.
- Sec. 11 **Swimming and Underwater Scuba:** Swimming and recreational scuba diving are prohibited in all Coast Guard designated channels and fairways shown on Chart I. Such scuba diving is also prohibited north of a line extending from the Inner Breakwater to the west shore of the harbor on an east-west (magnetic) bearing. However, scuba diving for the maintenance of boats on moorings is permitted.
- Sec. 12 **Water Skiing:** Water skiing is prohibited within Stonington Harbor, and within the waters north of a line running from red and green buoy "SP" thence to buoy "2" thence to the northwest tip of Sandy Point, and thence to Edwards Point. See Chart I.

- Sec. 13 **Fixed Fishing Gear:** Placement of fixed fishing gear (e.g., gill nets and lobster pots) in channels or fairways at any time, and in mooring areas May 1 to October 15. See Regulations of Connecticut State Agencies Section 26 - 142 a - 3a (d).
- Sec 14 **The Use of Vessel as Abode:** The use of vessels or floating homes/offices in Stonington Harbor as permanent or long-term abodes is specifically prohibited. Sleeping aboard vessels is allowed as a secondary use to the vessel's principal commercial or recreational use. Temporary exceptions to this regulation for unusual circumstances may be allowed at the discretion of and by permission of the Harbormaster.
- Sec. 15 **Coordination with Town, Borough, and State Agencies:** Pursuant to Sec. 22a-113p of the Connecticut General Statutes, any Town or Borough commission or board that is considering a proposal that affects the real property on, in or contiguous to the waters within the jurisdiction of this Commission shall notify this Commission at least thirty-five days prior to the taking of final action on the proposal. At the request of this Commission, a copy of the proposal under consideration shall be forwarded to this Commission for review and a recommendation. Overriding of an unfavorable recommendation from the Stonington Harbor Management Commission must be by a two-thirds vote. The proposal shall be acted upon by the Commission within thirty five days after initial receipt of notification of the proposal from any Town or Borough commission or board. Failure of the Commission to submit a recommendation will be deemed to be approval of the proposal.
- Sec. 16 **Sanitation:** The discharge of any refuse, waste, debris, petroleum product or by-product, paint, varnish, or untreated sewage into the waters under the jurisdiction of this Ordinance is prohibited.

Article 4: Mooring, Anchoring, And Securing Of Vessels

- Section 17 **Placement of Individual and Commercial Moorings.** Placing any mooring in the waters of the harbor without a permit from the Harbormaster is prohibited. No vessel moored or anchored shall extend beyond the mooring area into any designated channels, fairways, turning basins, or transient anchorages. Vessels will not be moored so that they come closer than fifty feet to the north side of the west breakwater. Unpermitted moorings may be removed by the Harbormaster, but the owner thereof shall be notified if possible. If not possible, equipment shall be treated as lost items. Commercial moorings may not be placed in the harbor without the proper Army Corps of Engineers and Connecticut Department of Environmental Protection permits.

Sec. 18

Uses of Individual Moorings: The intent of these regulations is that individual moorings will be used by the holders of the permits for those moorings. That is, the moorings shall not be rented or leased (only approved commercial moorings may be rented or leased). Nor should they be left unused for more than sixty consecutive days without consulting the Harbormaster. The Harbormaster may decline to renew permits for unused moorings.

On the other hand, it is not the intent of these regulations to be overly restrictive or unreasonable. Occasional use of individual moorings by guests of the permit holder and mooring vacancies during cruises or boat repairs are allowed. Protracted vacancies caused by delays between selling a permitted boat and acquiring a new boat, or by such circumstances as illness of the permit holder or temporary absence from the Stonington area may be allowed by the Harbormaster. These situations should be discussed with the Harbormaster as they arise.

At the request of a permit holder, who is facing one of the situations described in the previous paragraph, the Harbormaster may issue a temporary permit (not to exceed six months) for use of a vacant mooring. The standard mooring permit application must be submitted to the Harbormaster for review and approval. If approved, the permit will be marked "TEMPORARY" to indicate that it is not a permanent permit. If the Harbormaster approves temporary use of a individual mooring, the holder of the temporary permit must assume all liability in writing. The Harbormaster shall consider the Waiting List when he/she issues temporary permits.

Sec. 19

Application for Mooring Permit.

- A. **New Applications.** Any interested person, persons, or corporation may apply for a mooring permit for a boat by completing in full the application form (Annex B, p. 36) and returning it to the Harbormaster with a copy of the vessel's registration. Application forms are available at the Town Clerk's office, Borough Clerk's office, and from the Harbormaster. Applications will be placed on the waiting list in the order of receipt by the Harbormaster. In the case of a corporation, association, or other group, however organized, disclosure of the principals of the corporation shall be required. An application from a corporation whose principal assets consist of the boat to be moored and the mooring applied for shall not be accepted.
- B. **Renewal Applications.** Mooring permits are valid for a period not to exceed one year. All mooring permits shall expire on December 31st and should be renewed by January 31st of the following year. A grace period lasting until March 31st of that year is allowed.

- C. **Applications by Mooring Owners Upon Adoption of This Ordinance.** For the initial assignment of moorings following adoption of this ordinance, all holders of then current and valid mooring permits, plus all applicants who owned moorings in place in the harbor during the period from August 5, 1987 to September 22, 1987, shall be considered as having applied for mooring permits during this period and will be given precedence over new applications. That is, they will be "grandfathered." Upon adoption of this plan, a restriction of one permit per person will go into effect. Mooring permits are not transferable within a family. However a husband and wife are considered joint permit holders.
- D. **Relocation Applications.** A permit holder who applies to relocate his mooring shall be given such priority as the Harbormaster may deem appropriate in order to optimize use of mooring space within Stonington Harbor.
- E. **Mooring Permit Fee.** A fee of \$20.00 must be paid each time a mooring permit is renewed or a new permit is received.

Sec. 20

Allocation of Mooring Spaces.

- A. **General Assignment Factors.** All mooring locations shall be determined by the Harbormaster, with due consideration to vessel size, draft, water conditions, and other relevant factors, such as coastal resource protection.
- B. **Waiting List.** When a mooring space becomes available, it shall be offered to the senior applicant on the mooring waiting list, subject to the constraints contained in these regulations. If the available mooring space is not suitable to accommodate the senior applicant's vessel or specific needs, it shall be offered to the next senior qualified applicant. The senior applicant shall retain his or her place on the waiting list in this case. The Harbormaster shall continue efforts to provide a suitable mooring space for the senior applicant. If the space is adequate for a much larger vessel than the one owned by the person who takes it, the space may be granted on a temporary basis until a more appropriate space becomes available. A person granted a "temporary assignment" shall not be required to move his or her mooring during the boating season.
- C. **Shorefront Property Owners Moorings.** The owner of private shorefront property shall have precedence when applying to the Harbormaster for a permit for a deep water mooring within close proximity to his property, except within Federal Navigation Projects.

- D. **Commercial Moorings.** Commercial moorings shall be limited to 35 percent of the total deep draft moorings in the harbor. This percentage may be modified by the Harbor Management Commission.

Sec. 21

Mooring Records.

- A. The Harbormaster shall keep a detailed record of each mooring, its location, and the owner's name, home and business address, telephone number(s), date mooring was set, and name, length, registration number or documentation, and type of boat to be attached thereto. All vessels shall have current registrations in the State of Connecticut or have paid the required Connecticut state taxes.
- B. The Harbormaster shall maintain in a public place awaiting list for mooring space which will include the dates of all permit applications, and a list of assigned mooring spaces with permittee names. Both lists shall be updated annually.

Sec. 22

Transient Anchorage:

- A. Vessels may remain at the transient anchorage area for a period not to exceed 7 consecutive days except in cases of special circumstances and after notification of and approval by the Harbormaster.
- B. Vessels shall be properly and securely anchored.
- C. Vessels may not be left unattended for more than 24 hours. A vessel's operator shall not leave the immediate area without notifying the Harbormaster and providing a shipkeeper for the vessel.

Sec. 23

Secure Berthing, Mooring, and Anchoring of Vessels: It shall be the responsibility of the owner of the vessel, and where applicable, marine facility operators, to assure that a vessel is properly secured and to provide for periodic inspection, maintenance, and replacement of such equipment at reasonable intervals as determined by the Harbormaster. See Connecticut General Statutes Section 15-8.

Sec. 24

Mooring Specifications and Inspection: The Harbor Management Commission shall provide minimum specifications for mooring tackle and procedures for periodic inspection of the tackle. See Annex A (p. 31). Mooring buoys must comply with Section 15-121-A3a of the Regulations of Connecticut State Agencies.

Sec. 25 **Storm Precautions:** Owners are expected to add reasonable scope, weights, and extra anchors in anticipation of storm conditions. Prompt return to usual mooring provisions shall be effected within seven days after a storm.

Sec. 26 **Settlement of Disputes:** Any dispute arising between a mooring permit holder or an applicant for a permit and the Harbormaster or the Commission over the interpretation or intent of these regulations will be settled in a public meeting. The boat owner will request the meeting from the Chairman of the Commission in writing. The Chairman and four other members of the Commission, chosen by the Chairman, will form a panel to settle the dispute.

Article 5: Review and Modification of The Harbor Management Plan

Sec. 27 **Review of Harbor Management Plan:** Section 22a-113m of Connecticut General Statutes provides for an annual review of the Harbor Management Plan by the Harbor Management Commission and by the Commissioners of Environmental Protection and Transportation. The Commission shall conduct its review during the boating season, prior to Labor Day. As part of the review, the Commission shall hold a public workshop to receive comments and recommendations concerning all aspects of management of Stonington Harbor and the other waters under its jurisdiction. The review shall include the administration of mooring regulations, mooring permit fees, and the operation of commercial moorings.

Sec. 28 **Modification of Harbor Management Plan:** Modifications to the Stonington Harbor Management Plan must be approved in the same manner as the original plan itself, including the requirement that they be adopted by the legislative bodies of the Town and the Borough of Stonington.

Article 6: Definitions

- Anchoring:** to secure a vessel temporarily to the bottom of a water body by dropping an anchor or anchors or other ground tackle from a vessel.
- Berth:** space for a single vessel alongside a pier, finger float, or other structure.
- Buffer:** an open water area between the shore and a designated mooring area.
- Channel:** a water area officially marked and maintained to permit unobstructed movement of vessels.
- Commercial Mooring:** a mooring that is rented or leased or available for rental or lease.
- Deep Water:** A minimum depth of 4 feet at mean low water.
- Distress:** a state of disability or of present or obviously imminent peril which, if unduly prolonged, could endanger life or result in serious property damage.
- Emergency:** a state of imminent or proximate danger to life or property in which time is of the essence.
- Fairway:** a locally-designated water area reserved for unobstructed movement of vessels.
- Floating Home/Office** A floating building or structure constructed on a float, barge or raft, no longer principally intended for nor generally capable of safe navigation, as determined by the Harbormaster, but principally used as an abode or place of business.
- Harbor Facility:** an area or structure providing private or public access to the water.
- Harbor Management Act:** the legislation contained within the State of Connecticut General Statutes, Sections 22a-113k through 22-113t and as may be amended.
- Harbor Management Commission:** the local municipal commission established under and carrying out the responsibilities authorized by the Connecticut Harbor Management Act.
- Harbormaster:** an official appointed by the Governor of the State of

Connecticut to administer a harbor, in this case Stonington Harbor, in accordance with the Connecticut General Statutes. The Harbormaster will enforce the Harbor Management Ordinance if it is adopted.

Individual Mooring: any mooring that is not a commercial mooring.

Moor: to secure a vessel to a mooring.

Mooring: a device or system incorporating mooring tackle intended for long term use by which vessels are secured to the bottom of a water body.

Mooring Buoy: a floating device designed to mark a mooring.

Mooring Tackle: the hardware and cordage used to secure a moored vessel.

Open Water: a water area designated in the Water Use Plan where moorings and structures are restricted in order to preserve the area for navigation, natural resource, or public recreational purposes.

Public Access: an area where the public has free access from the land to either a view of the water or the water itself.

Public Area: all areas of the harbor except those areas under specific government lease to private parties or owned privately.

Shore: the part of the land in immediate contact with a body of water, including the area between high and low water lines.

"Shall" and "May": "shall" is mandatory; "may" is permissive.

State: the State of Connecticut.

Structure: a dock, pier, piling, breakwater, groin, seawall, and combinations thereof.

Transient Anchorage: an area designated for the exclusive short-term use of commercial and recreational vessels.

Underway: the condition of a vessel that is not anchored, moored, made fast to the shore, nor aground.

Vessel: every description of watercraft, other than a seaplane on water, used or capable of being used as a means of transport through the water, as defined in CGS Section 15-127.

Annex A: Mooring Tackle Specifications

The following mooring tackle specifications are minimum requirements to be followed when applying for a mooring permit in Stonington Harbor. It should be understood that no minimum standard would assure absolute protection for all vessels at all locations under all conditions. The Commission recognizes that particular conditions may necessitate a stricter requirement or allow a relaxation of these standards on a case by case basis.

The applicant may request, or the Harbormaster may require, deviation from these minimum standards on consideration of the following factors: location of the proposed mooring, including factors such as exposure, water depth, proximity to shore or structures or other moorings; type of vessel to be moored, including factors such as bulk, windage, and draft; and type of mooring tackle, including adequate substitution of mooring type and chain weight. Mooring anchor weights shown below are for currently available mushroom anchors; new technology offers anchors of much greater holding power, which can be approved by the harbormaster when they become available.

No standards can assure adequate protection from severe coastal storms with associated winds and waters. However, the following specifications are offered as a compilation of research based on marine engineering studies, neighboring Harbor Commissions and marina usage in Southern New England.

Boat Length		Mushroom- Weight Lbs		Bottom Chain Length/Diam.		Top Chain (2) Pennant (1) Length/Diam.			
<u>Sail</u>	<u>Power</u>	<u>Sail</u>	<u>Power</u>	<u>(All Boats)</u>		<u>North</u>	<u>South</u>	<u>North</u>	<u>South.</u>
15'	15'	100	100	15'	Of 5/8"	15'	20'	3/8"	1/2"
20'	20'	200	200	15'	Of 5/8"	25'	35'	3/8"	5/8"
24'	24'	250	350	15'	Of 3/4"	35'	40'	1/2"	5/8"
28'	28'	350	600	15'	Of 3/4"	35'	40'	1/2"	5/8"
35'	30'	500	600	15'	Of 1"	35'	40'	1/2"	3/4"
45'	40'	1000	1000	20'	Of 1 1/8"	35'	40'	1/2"	3/4"

Notes:

(1) Lengths are maximums for each set of tackle specifications. For sailboats greater than 45' or powerboats greater than 40', owners must get approval of Harbormaster for proposed tackle.

(2) Top chain lengths are maximums for boats moored, respectively, north or south of the latitude of the Town Dock. The chain is longer south of the Town Dock because the water is deeper there. Total length of chain shall be at least 2 1/2 times the depth of water at high tide, up to the maximums shown above.

(3) Moorings buoys must be white with a clearly visible blue band mid way between the top of the buoy and the waterline, in accordance with Section 15-121-A3(a) of the

Regulations of Connecticut State Agencies.

Anchor weights and tackle sizes (diameters) are minimums. They may exceed the above figures, but the total scope of chain may not be exceeded without approval of the Harbormaster. Bottom chain length shall be not less than the water depth, for ease of shackle inspection.

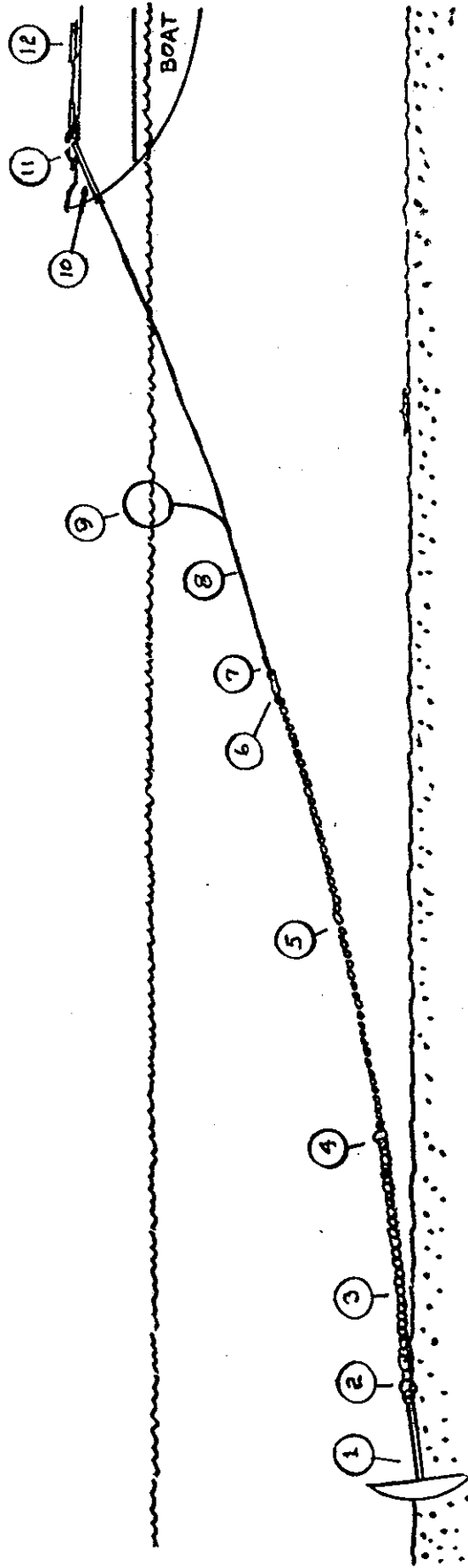
Additional Requirements (refer to figure A-1)

1. All shackles shall be seized. Seizing shall not promote electrolysis.
2. Chafing gear shall be used.
3. Adequate and properly secured chocks are required.
4. Pennants should be shackled to the chain below the buoy. The use of a second pennant is recommended. Wire shall not be used for pennants. Pennant length should be 2 1/2 times the vertical distance from the bow chock to the water, plus the distance from the bow chock to the mooring cleat or post.
5. No engine blocks shall be allowed for mooring.
6. Mid-chain weights or anchors shall not be used as regular tackle, but are encouraged during storm conditions. They shall be removed promptly afterward so as to ensure proper swing.
7. Winter sticks (spars) shall be used only in winter, removed by may 31st, and shall attach directly to the chain so the other end is clearly visible above the water at all times.
8. Regular inspection of moorings is required. As a prerequisite for mooring permit renewal, one must certify that their mooring tackle meets or exceeds the minimum standards. Moorings may be inspected by the harbormaster at any time.
9. The proposed ground tackle as a whole must be acceptable to the harbormaster.
10. The name of the mooring owner (permit holder) must be written on the mooring buoy in large, indelible letters.

No representation of adequacy is made by this section or by the Harbormaster's acceptance of proposed tackle.

LEGEND

- 1. MUSHROOM ANCHOR
- 2. SHACKLE OR SHACKLES
- 3. BOTTOM CHAIN, LONG ENOUGH TO REACH SURFACE AT LOW TIDE
- 4. SHACKLE
- 5. TOP CHAIN
- 6. SWIVEL & SHACKLE (OPTIONAL)
- 7. SHACKLE @ THIMBLE EYESPLICED IN PENDANT
- 8. PENDANT
- 9. BUOY @ MOORING OWNER'S NAME. BUOY LINE BENT TO PENDANT
- 10. CHAFING GEAR
- 11. CHOCK
- 12. EYESPLICE IN PENDANT OVER CLEAT



Drawing A-1

TYPICAL MODRING SCHEMATIC ONLY. NOT TO SCALE.

APPLICATION FOR INDIVIDUAL NON-COMMERCIAL MOORING SPACE AND PERMIT

MOORING PERMITS ARE VALID FOR ONE YEAR AND ARE NOT TRANSFERABLE TO ANOTHER PARTY.

TO BE COMPLETED (Print Clearly) AND MAILED OR RETURNED TO:

Harbormaster _____ Date _____

Applicant Name: _____

Home Address: _____
(No P.O. Box)

Home Phone: (_____) _____
Area Code

For 20 _____ season. New _____ Renewal _____

Vessel's Name _____ Hailing Port _____

State Registration or Documentation # _____ Manufacturer of Vessel _____

Type of Vessel: Power _____ Sail _____

Length _____ Beam _____ Draft _____ Displacement, lbs. _____

Mooring Description: Anchor Type _____ Weight _____

Chain(s) Length(s) Diameters: Top _____ Bottom _____

Pendant(s) Length _____ ' Diam. _____

Year Installed _____ Year last inspected _____

Mooring serviced by _____

Dinghy Location or Access _____

I understand that my vessel must have the required state registration number (unless not required) or be documented by the U.S.A. in order to obtain a mooring space.

Signature of mooring applicant _____

Note: Moorings must have adequate ground tackle, chafing gear and scope for the area and conditions expected. Mooring scope must not allow infringement on other moorings with vessel attached. Under NO conditions are moorings allowed that will permit the vessel to swing into Corps of Engineers maintained navigational channels by action of wind or current or into established fairways, wharfs, docks, or floats. Mooring buoys must be identified with boat name. The weight of the anchor should also be clearly painted on the mooring buoy.

Do not write in this space - For Harbormaster's use only

Position assigned _____

Date received _____

Number assigned _____

Ground tackle inspected _____

Approved _____

Date _____

(Harbormaster)

PLEASE SUBMIT IN DUPLICATE.

Shellfish in Stonington Harbor and Little Narragansett Bay

1. Goals of the Stonington Shellfish Commission

The goals of the Stonington Shellfish Commission are:

- A. Manage recreational and commercial shellfishing activities to provide benefit to the Town of Stonington and its residents.
- B. Maintain and improve access to recreational shellfish resources.
- C. Manage commercial shellfishing interests to maintain and improve a traditional economic livelihood.
- D. Manage shellfish and other resources to provide sustainable shellfishing opportunities in Stonington waters.
- E. Collaborate with other boards, commissions, agencies, groups and individuals to promote and enhance shellfish resources and the environment they inhabit and rely upon.

2. Shellfish Resources of Stonington Harbor and Little Narragansett Bay

Stonington Harbor supports a rich and extensive population of hard clams (Fig. 1-1, p.40) and small populations of bay scallops, soft clams and blue mussels. The hard clams are widely and thickly distributed throughout the harbor. The scallops are thinly scattered in the eel grass beds on the west side of the harbor. Although this is a small population that is rarely important for recreational harvesting, it is important as a breeding stock, in part because of the protection afforded by the healthy eel grass bed.

Little Narragansett Bay also contains a rich and extensive population of hard clams, and, in some years, an extensive bay scallop population. There are some lesser populations of soft clams, oysters and blue mussels. The hard clams are widely and thickly distributed. The scallops are usually limited to the area near Barn Island in the eastern part of the bay. In recent years Little Narragansett Bay has lost its major eel grass beds, which has adversely affected the production and survival of juvenile scallops.

3. Shellfish Management and Resource Status in Stonington Harbor and Little Narragansett Bay

The Connecticut Department of Agriculture, Bureau of Aquaculture (DA/BA) and the Stonington Shellfish Commission regulate shellfish harvesting in Stonington Harbor and the Connecticut portion of Little Narragansett Bay. State Statutes and local regulations are enforced by conservation officers of the Connecticut Department of Environmental Protection, the Stonington Police Department and the Stonington Shellfish Commission's Warden.

Currently, the water quality in Stonington Harbor and Little Narragansett Bay does not allow the taking of most shellfish for direct human consumption. This prohibition extends back to 1948, when the Connecticut Department of Health ordered the closure due to poor water quality. The only shellfish exempted from this prohibition is the bay scallop, which may be taken for direct human consumption provided only the adductor muscle is consumed.

The Stonington Shellfish Commission and DA/BA conduct extensive water quality tests at locations throughout Stonington Harbor and Little Narragansett Bay (Fig. 1-2, p.41), and use this information as a basis for determining the shellfish growing water classifications (Fig. 1-3, p.42).

A. Stonington Harbor. The Anchorage Area, which encompasses most of the harbor, is classified as *Conditionally Restricted Relay*. This classification means that DA/BA licensed shellfish operations may harvest shellfish for depuration (cleaning) from November 1 - March 31. During the boating season this area is closed to all shellfishing activity. That area of Stonington Harbor located within a 1,000-ft. radius of the sewage outfall from the Stonington Borough Wastewater Pollution Control Facility at the town dock is classified as *Prohibited*, which means that no shellfishing of any kind is permitted.

B. The remainder of Stonington Harbor, the entrance to Little Narragansett Bay and the bay itself are classified as *Restricted Relay*, which means that DA/BA licensed operations may harvest shellfish for transfer to *Approved* areas for natural biological purification.

C. Scallops may be harvested for direct human consumption during the prescribed season as set by the Stonington Shellfish Commission, so long as the adductor muscle only is consumed.

4. **Current Shellfishing Activity in Stonington Harbor and Little Narragansett Bay**

A. Stonington Harbor. Currently there is no commercial shellfishing activity in Stonington Harbor or at the western entrance to Little Narragansett Bay. In the past, however, the Stonington Shellfish Commission has permitted DA/BA licensed operations to harvest shellfish in Stonington Harbor. In 1995, the Shellfish Commission began placing seed scallops in the eel grass bed in the west part of the harbor to enhance the breeding stock. In addition, the Shellfish Commission has made arrangements to use several docks in the harbor for aquaculture experiments.

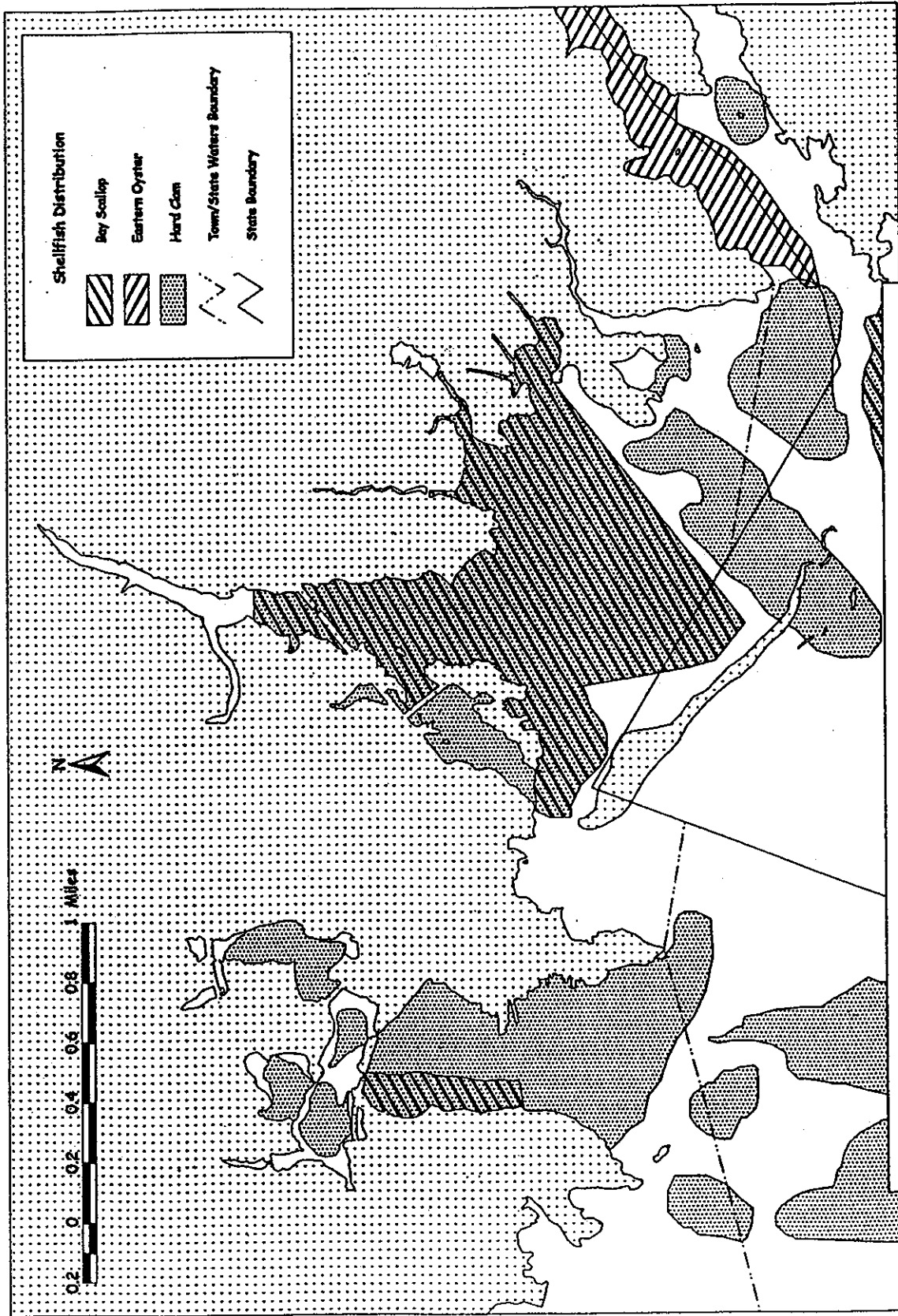
B. Little Narragansett Bay. Since 1998, the Shellfish Commission has permitted DA/BA licensed operations to harvest shellfish in the western part of Little Narragansett Bay. The eastern part of the bay is the traditional location of Stonington's recreational scalloping activity. Good scallop seasons generate much excitement, but unfortunately, they are becoming rare. This area appears to be particularly sensitive, thus it is being preserved for eel grass and scallop enhancement projects. In 1998, the Shellfish Commission participated in an extensive study of the distribution of submerged aquatic vegetation in the bay. The results of this study will be used as a basis for future restoration projects.

5. **Future Shellfishing in Stonington Harbor and Little Narragansett Bay**

The Stonington Shellfish Commission wishes to see all waters in the Town of Stonington open to the harvest of shellfish for direct human consumption, including Little Narragansett Bay and Stonington Harbor. This is a long-term goal and the Shellfish Commission will continue to collaborate with other commissions and agencies to achieve it.

The recent water quality data from Little Narragansett Bay indicates that there is great hope for reopening a portion of the bay to the recreational harvesting of clams. The Shellfish Commission has initiated a water sampling program to meet DA/BA reopening requirements. The presence of a significant number of moored or anchored boats would greatly hinder the efforts to use to this area for recreational shellfishing.

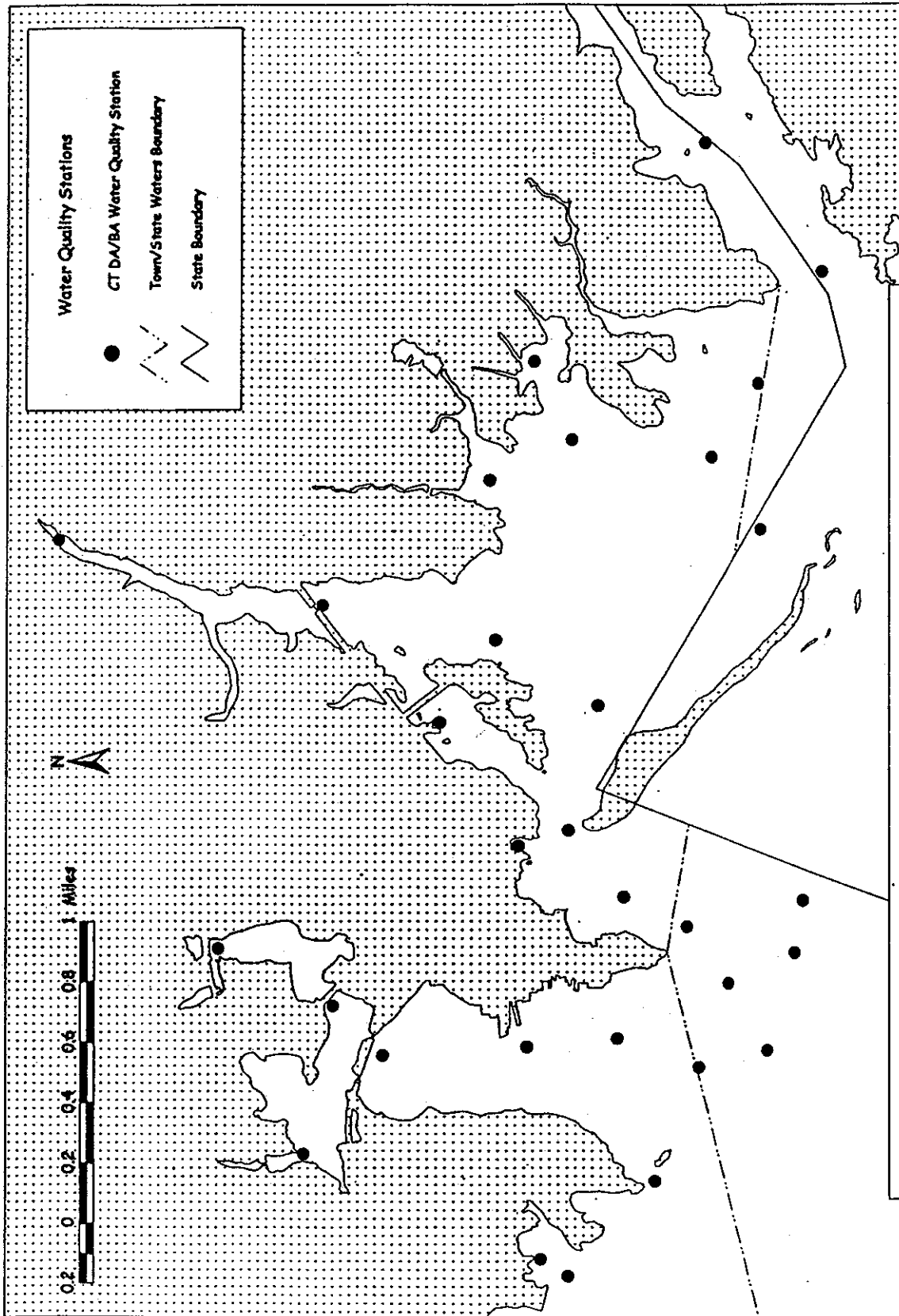
Reopening Stonington Harbor to recreational clamming is a much greater challenge because of the outflow from the sewage treatment plant and the large number of moored boats. Currently, reopening the harbor is not a high Shellfish Commission priority. However, the valuable hard clam resource in the harbor can benefit Stonington's recreational shellfish beds. Although the Shellfish Commission has no specific plans at this time, a commercial harvester could remove the clams from the harbor, depurate them, and place them on the recreational beds. The Shellfish and Stonington Harbor Management Commissions will cooperate to ensure that access to this valuable resource is protected.



Allen Doolittle
Coastal Resources Center
03 May 1998

Shellfish distribution in the Stonington Harbor and Little Narragansett Bay area. Data adapted from CT Dept. of Agriculture Shellfish Survey and Stonington Shellfish Commission maps. Current as of January 1999. Locations are approximate.

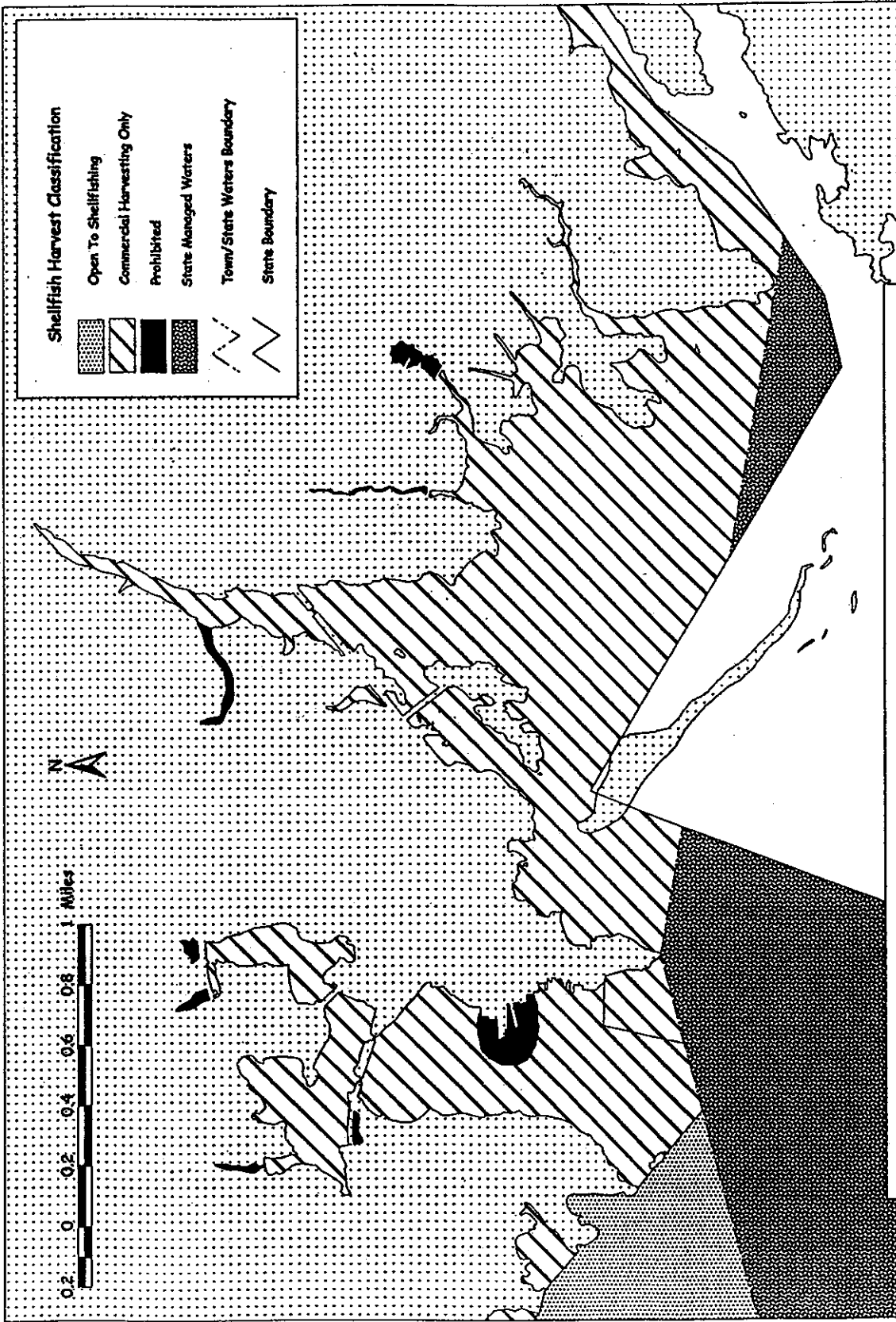
Fig. 1-1



Alan Bebbanet
 Coastal Resources Center
 03 May 1999

Bureau of Aquaculture water quality sampling stations in the Stonington Harbor and Little Narragansett Bay area. Data adapted from CT Dept. of Agriculture Bureau of Aquaculture maps. Current as of January 1999.

Fig. 1-2



Classification of waters of the Stonington Harbor and Little Narragansett Bay area for harvesting shellfish. Data adapted from CT Dept. of Agriculture Bureau of Aquaculture classification maps. Currents as of January 1999.

Allen Dackowski
 Coastal Resources Center
 23 May 1999

CHAPTER 444a*

HARBOR MANAGEMENT COMMISSIONS

*See chapter 263 (Sec. 15-1 et seq.) re harbors and rivers.

Sec. 22a-113k. Harbor management commissions. (a) Any municipality having within its limits navigable waters as defined in subsection (b) of section 15-3a may establish by ordinance a harbor management commission or may designate any existing board, commission, council, committee or other agency as such commission. Any harbor management commission established under this section may include one member representing each of the following: The planning commission, the zoning commission, or the combined planning and zoning commission, the conservation commission, shellfish commission and flood control board. The harbor master or deputy harbor master for the municipality shall be a nonvoting ex-officio member of the commission. The ordinance shall designate the area within the territorial limits of the municipality and below the mean high water that shall be within the jurisdiction of the commission and shall set forth the number of members of the commission, their method of selection, terms of office and procedure for filling any vacancy.

Any two or more municipalities whose common boundaries lie within navigable waters as defined in subsection (b) of section 15-3a may by concurrent ordinances of their legislative bodies establish a harbor management commission. Such commission shall consist of an equal number of members from each municipality constituted pursuant to subsection (a). Any municipality that is a member of the commission may, by vote of its legislative body, elect to withdraw from the commission.

(P.A. 84-247, S. 1.)

Sec. 22a-113l. Powers. Any commission established pursuant to section 22a-113k is authorized to enter into contracts, employ consultants and other assistants and receive and expend funds for equipment, supplies and staff to carry out the purposes of section 15-1, subsection (a) of section 15-7 and sections 22a-113k to 22a-133t, inclusive. Any municipality may appropriate funds to such commission.

(P.A. 84-247, S. 2.)

Sec. 22a-113m. Harbor management plan. Approval. The commission, in consultation with the commissioners of environmental protection and transportation, shall prepare or cause to be prepared a management plan for the most desirable use of the harbor for recreational, commercial, industrial and other purposes. For those towns in the coastal area as defined in section 22a-94, the plan shall provide for the preservation and use of the coastal resources of the harbor in a manner consistent with the provisions of sections 22a-90 to 22a-112, inclusive, and any municipal coastal plan adopted pursuant to section 22a-101 by any municipality that is a member of the commission. A copy of the plan shall be forwarded to the U.S. Army Corps of Engineers for review, comments and recommendations. Such plan shall be submitted for approval to the commissioners of environmental protection and transportation. Said commissioners shall act on the plan not more than sixty days after submission of such plan. Upon approval by said commissioners, the plan may be adopted by ordinance by the legislative body of each municipality establishing the commission. The ordinance shall specify the effective date of the plan. A modification to the plan may be proposed at any time and shall be approved in the same manner as the plan. The plan shall be reviewed annually by the commission and the commissioners of environmental protection and transportation.

(P.A. 84-247, S. 3.)

Sec. 22a-113n. Content of plan. (a) The plan shall identify existing and potential harbor problems, establish goals and make recommendations for the use, development and preservation of the harbor. Such recommendations shall identify officials responsible for enforcement of the plan and propose ordinances to implement the plan. The plan shall include, but not be limited to, provisions for the orderly, safe and efficient allocation of the harbor for boating by establishing (1) the location and distribution of seasonal moorings and anchorages, (2) unobstructed access to and around federal navigation channels, anchorage areas and harbor facilities, and (3) space for moorings and anchorages for transient vessels.

(b) The plan may recommend: (1) Boundaries for development areas to be approved and established by the commissioner of environmental protection in accordance with the provisions of section 22a-360; (2) designations for channels and boat basins for approval and adoption by the commissioner of environmental protection in accordance with the provisions of section 22a-340; (3) lines designating the limits of areas for the location of vessels with persons living aboard to be approved and adopted by the director of health in accordance with section 19a-227; (4) pump-out facilities, including the designation of no discharge zones in accordance with Section 312 of the Federal Clean Water Act; and (5) regulations for the operation of vessels on the harbor pursuant to the provisions of section 15-136. Upon adoption of the plan, any recommendation made pursuant to this subsection shall be binding on any official of the state, municipality or any other political subdivision when making regulatory decisions or undertaking or sponsoring development affecting the area within the commission's jurisdiction, unless such official shows cause why a different action should be taken.

(P.A. 84-247, S. 4.)

Sec. 22a-113o. Factors considered in preparation of plan. In preparing the plan, the commission shall consider the following factors: (1) Recreational and commercial boating; (2) recreational and commercial fisheries and shellfisheries; (3) fish and shellfish resources, including leased or designated shellfish beds; (4) conservation of natural resources; (5) areas subject to high velocity waters, including but not limited to hurricanes, wave washes or tsunamis, that are designated as V-zones on a flood insurance rate map published by the National Flood Insurance Program; (6) exposed areas subject to flooding and erosion as defined in section 25-70; (7) commercial and industrial uses that are water dependent as defined in subdivision (16) of section 22a-93; (8) water quality and public health; (9) recreational uses other than boating and fisheries; (10) water dependent educational uses; (11) public access; and (12) tidal wetlands, beaches and dunes, bluffs and escarpments and intertidal flats as defined in section 22a-93.

(P.A. 84-247, S. 5.)

Sec. 22a-113p. Action on applications to municipal agencies referred to commission. The commission may review and make recommendations, consistent with the plan, on any proposal affecting the real property on, in or contiguous to the harbor that is received by any zoning commission, planning commission or combined planning and zoning commission, zoning board of appeals, historic district commissions, flood and erosion control board, harbor improvement agency, port authority, redevelopment agency, shellfish commission, sewer commission, water pollution control authority or special district with zoning or other land use authority. Such agencies shall send a copy of any such proposal to the commission upon the request of such commission. The commission shall be notified of any such proposal at least thirty-five days prior to the commencement of the hearing thereon or where no hearing is held, at least thirty-five days prior to the taking of any final action on the proposal. The local agency authorized to act on the proposal shall consider the recommendations of the commission. A two-thirds vote of all the members of the local agency having authority to act on the

proposal shall be required to approve a proposal which has not received a favorable recommendation from the commission, provided that the provisions of this section shall not be deemed to alter the authority of the agency having primary jurisdiction over the proposal to deny, modify or condition the proposal. Failure of the commission to submit a recommendation shall be deemed to be approval of the proposal.

(P.A. 84-247, S. 6.)

Sec. 22a-113q. Request for general permit and delegation of enforcement authority. Upon adoption of the plan, the commission may request a general permit from the United States Army Corps of Engineers and delegation of enforcement authority pursuant to section 22a-2a.

(P.A. 84-247, S. 7.)

Sec. 22a-113r. Mooring or anchorage permit. Enforcement of ordinances implementing plan. Upon adoption of the plan, no mooring or anchorage shall be placed in the harbor without a permit from the harbor master or deputy harbor master for the municipality. Any permit granted by the harbor master or deputy harbor master shall be consistent with the plan and shall expire on the thirty-first day of December next following its issuance. The harbor master or deputy harbor master shall keep a record of the location of each mooring and anchorage for which a permit has been issued, the name and address of the owner and a description of the vessel to be moored. Such information shall be made available to any officer authorized to enforce the provisions of chapter 268. The harbor master or deputy harbor master shall enforce any ordinance adopted by a municipality to implement the plan.

(P.A. 84-247, S. 8.)

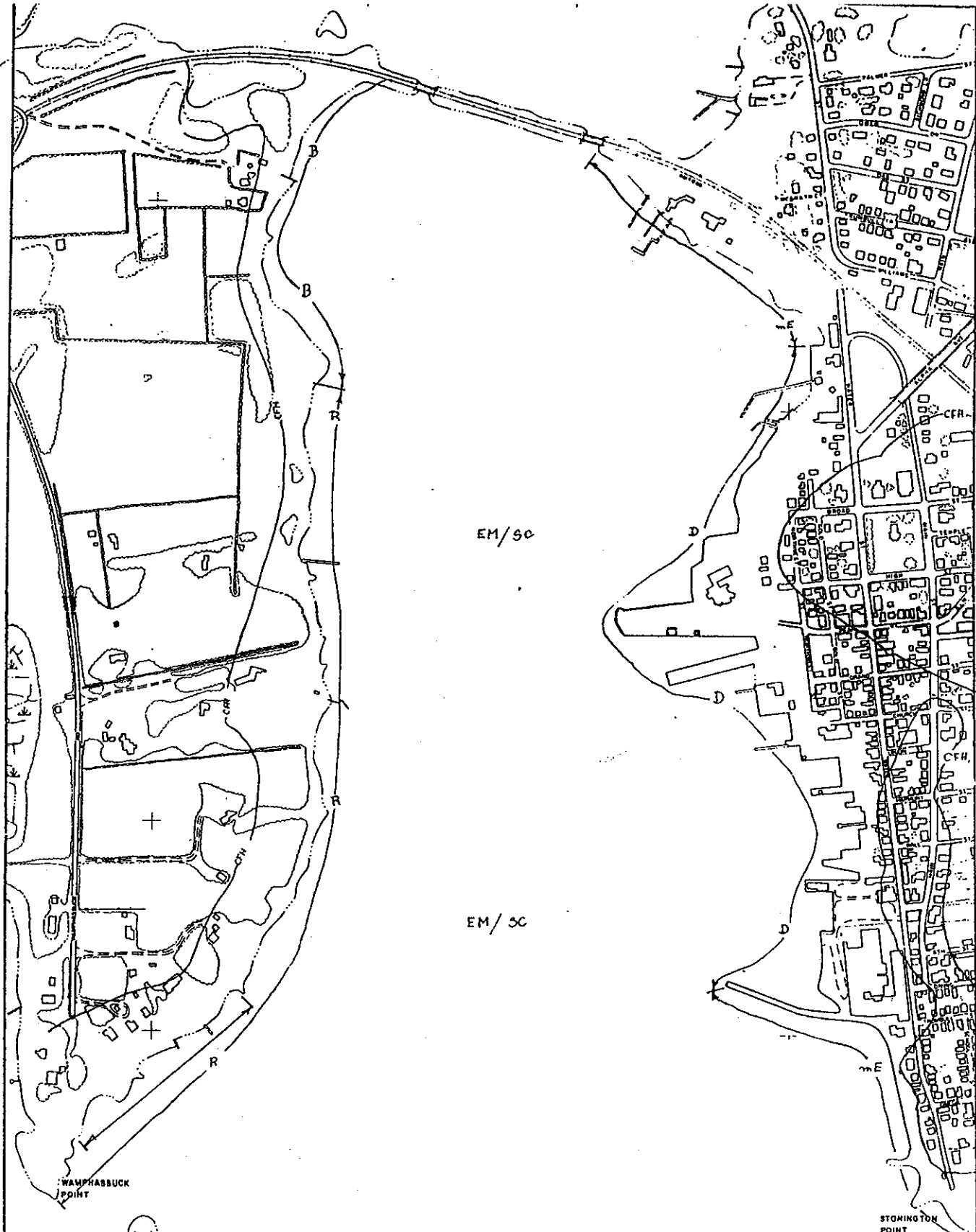
See Secs. 15-1 and 15-7 re duties of harbor masters.

Sec. 22a-113s. Permit fee. The commission may propose a fee schedule for a permit for a mooring or anchorage or any other activity within the scope of the plan to be adopted by vote of the legislative body of each town establishing the commission. The maximum annual fee for a mooring or anchorage shall be one hundred dollars. The harbor master or deputy harbor master for the municipality shall collect such fee. Any fee collected pursuant to this section shall be deposited into a fund maintained by the municipality in which such fee was collected and shall be used for the maintenance and improvement of the harbor for the public and for expenses for personnel and equipment directly related to the function of the commission and the harbor master or deputy harbor master.

(P.A. 84-247, S. 9.)

Sec. 22a-113t. Model harbor management. Not more than six months after October 1, 1984, the commissioner of environmental protection in consultation with the commissioner of transportation shall prepare a model harbor management plan.

(P.A. 84-247, S. 10.)



(SHEET 2) 10 104-1-95
 (SHEET 2)

LEGEND

- ME MODIFIED BLUFFS & ESCARPMENTS
- R ROCKY SHOREFRONT
- CFH COASTAL FLOOD HAZARD AREA
- D DEVELOPED SHOREFRONT
- EM ESTUARINE EMBAYMENT
- SC SHELLFISH CONCENTRATION AREA
- B BEACHES & DUNES

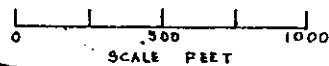
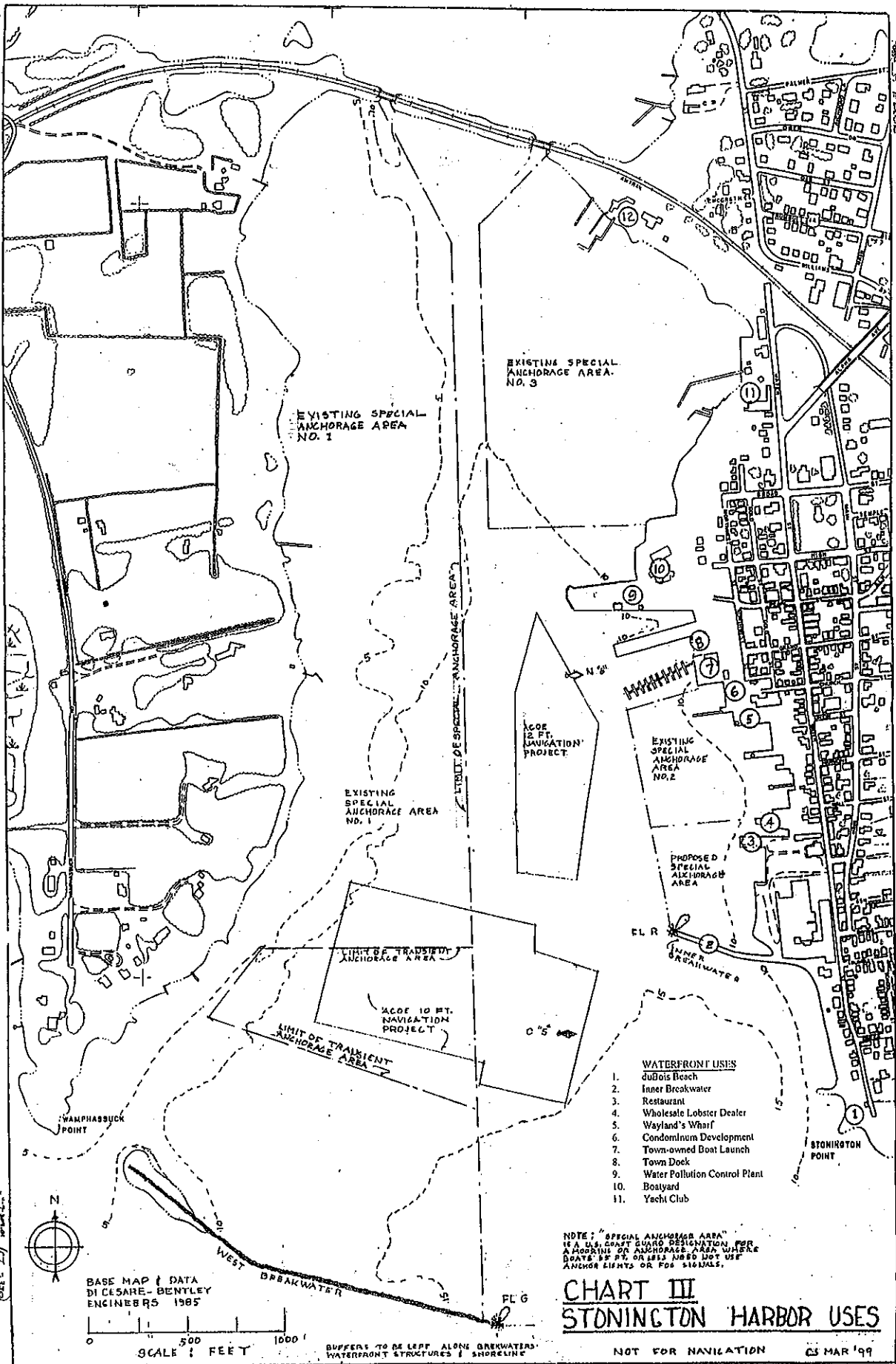


CHART II
COASTAL RESOURCES
STONINGTON HARBOR

CS MARCH '95



EXISTING SPECIAL ANCHORAGE AREA NO. 1

EXISTING SPECIAL ANCHORAGE AREA NO. 3

EXISTING SPECIAL ANCHORAGE AREA NO. 1

ACOE 12 FT. NAVIGATION PROJECT

EXISTING SPECIAL ANCHORAGE AREA NO. 2

PROPOSED SPECIAL ANCHORAGE AREA

LIMIT OF TRANSIENT ANCHORAGE AREA

ACOE 10 FT. NAVIGATION PROJECT

LIMIT OF TRANSIENT ANCHORAGE AREA

WAMPASSUCK POINT

STONINGTON POINT

WATERFRONT USES

1. Juhois Beach
2. Inner Breakwater
3. Restaurant
4. Wholesale Lobster Dealer
5. Wayland's Wharf
6. Condominium Development
7. Town-owned Boat Launch
8. Town Dock
9. Water Pollution Control Plant
10. Boatyard
11. Yacht Club

NOTE: "SPECIAL ANCHORAGE AREA" IS A U.S. COAST GUARD DESIGNATION FOR A MOORING OR ANCHORAGE AREA WHERE BOATS 25 FT. OR LESS SHOULD NOT USE ANCHOR LIGHTS OR FOG SIGNALS.

**CHART III
STONINGTON HARBOR USES**

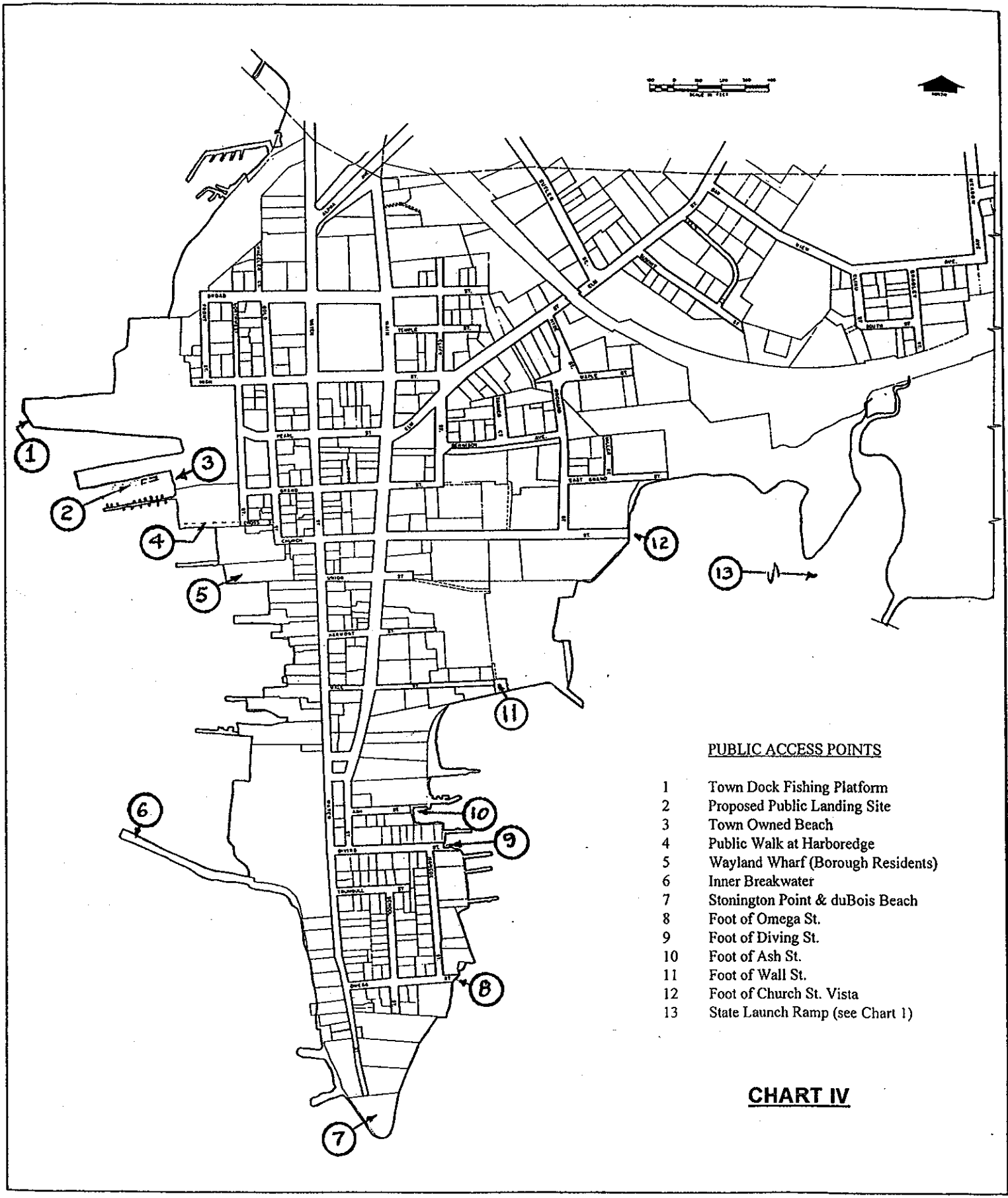
BASE MAP & DATA BY CESAIRE-BENTLEY ENGINEERS 1985

SCALE: 1" = 500 FEET

BUFFERS TO BE LEFT ALONG BREAKWATER, WATERFRONT STRUCTURES & SHORELINE

NOT FOR NAVIGATION

23 MAR '99



PUBLIC ACCESS POINTS

- 1 Town Dock Fishing Platform
- 2 Proposed Public Landing Site
- 3 Town Owned Beach
- 4 Public Walk at Harboredge
- 5 Wayland Wharf (Borough Residents)
- 6 Inner Breakwater
- 7 Stonington Point & duBois Beach
- 8 Foot of Omega St.
- 9 Foot of Diving St.
- 10 Foot of Ash St.
- 11 Foot of Wall St.
- 12 Foot of Church St. Vista
- 13 State Launch Ramp (see Chart 1)

CHART IV