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Mystic Harbor Management Commission

November 5, 2015 Minutes

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The Mystic Harbor Management Commission held a regular meeting on Thursday, November 5, 2015, at 7:30 p.m. at the Fourth District Voting Hall. Members present were Dave Carreau (Chair), Lou Allyn, Rod Cook, Jack Lee, Ken Scott, and Fred Allard. Also present were Harbormaster Don Procko, Mary Julian, Gary Julian, Jayne Scott, Steven Small, Bryce Breen, and Katrina Bercaw (recording secretary).

Call to Order

Chairman Carreau called the meeting to order at 7:30 p.m. The Pledge of Allegiance was said.

Approval of Minutes

Minutes of the October 1, 2015, meeting were presented. Mr. Lee made a motion to accept. It was seconded by Mr. Cook and unanimously approved.

Unfinished Business

- Dredging Auxiliary Fairway: The State has retitled this, "Auxiliary State Channel."
- Mooring permits J57 & K54 in the East Fairway: Harbormaster Procko has identified the owner of the unpermitted mooring in the fairway and will arrange for its removal.
- East Fairway Dredging: The *Hydrographic Survey and Preliminary Dredge Plan of the fairway SW of Mason's Island* is complete. This channel is authorized in our Management Plan.
- Mystic Harbor Management Plan review: No report at this time.
- Pier and Float application for Maurice, 36 Riverbend Drive, Application No. 201501172-MG: Five members of the Whitehall Homeowners Assoc. (see first paragraph above), who are abutters, attended this regular meeting in protest to the latest dock revision dated 9-18-2015. This latest plan was submitted on October 24, 2015 signed by Brian Thompson, Director, as part of the "Notice of Tentative Determination To Approve". This configuration still obstructs the extremely narrow channel which will restrict navigation to the only water access to the village of Old Mystic up river.

  From the Commission's prospective, the current Maurice plan still shows a dock extending into the channel that is not consistent with provisions for navigability in the Mystic Harbor Management Plan. This was previously stated on our "consultation form" dated November 1, 2014 submitted to the DEEP. The most pertinent Section of the Mystic Harbor Management Plan is section V.D.4 on page 14 which states, "No structures shall be constructed in any channel or within prescribed setbacks from channels. Navigation of vessels within and adjacent to channels takes precedence over all other uses of the Harbor."

After much discussion, and the search for a compromise to allow Mr. Maurice to "wharf out", the following motion was made by Mr. Allard and seconded by Mr. Lee: The commission does not approve the current plan, which shows that the structure still projects into the narrow channel enough to adversely impact navigability by the public. Rather, as an acceptable compromise, the commission would find acceptable a structure that does not extend beyond 4 feet mean low water on the east side of the channel. The motion carried, with five in favor and the abstention of Mr. Scott because he is an abutter.

- Mooring in the Transient Anchorage area T-3: Chairman Carreau sought legal counsel. Private moorings are not permitted in a designated transient anchorage area. One mooring per property is allowed per DEEP precedent. Harbormaster Procko will work with the owners on a location for a mooring that would be consistent with the Mystic Harbor Management Plan.
- Sign for Public Dinghy Dock is in process.
- Repair Green East Fairway Marker No. 3: Ballast will be added to the buoy for stability.
- Dock at Clipper Point: The DEEP is investigating the dock permits in this area.

New Business

- Navigational Aids per COP #201505218-MG for the private Channel Extension: Mr. Allyn facilitated an agreement with the DEEP to allow dredging before buoy permitting [per e-mail from Mike.Payton@ct.gov to Lou Allyn cc: Eleanor Mariani and John Byron].
- Unmarked boat anchored in T-3 transient area past the 7-day limit: The boat appears to be unregistered with no markings of identification. Chairman Carreau referred to Public Act 14-57 as the new legislation concerning Abandoned Boat criteria. Harbormaster Procko will contact the Stonington Police to request assistance for removing the boat before winter.
- Windhover Associates, LLC, CT- DEEP 4/40 Dock - Admiral Cove, Old Mystic- application The proposed structure is consistent with the Mystic Harbor Management Plan. Mr. Allyn moved to approve and Mr. Allard seconded the motion. It was approved unanimously.
- Conservation Development Implementation Task 3.1.4 requests that the Commission support and encourage pumpout boat facilities. Harbormaster Procko will invite Cindy Chapel to provide a report on the latest pumpout operation in the river at next month's meeting.

Mr. Lee moved and Mr. Scott seconded a motion to adjourn. The meeting adjourned at 9:15PM.

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David Carreau, Chairman Date