

Town of Stonington, CT
Stonington Harbor Management Commission

Agenda

Meeting Date: August 10, 2020 7:00 PM

Meeting will be held on-line.

Public call in information:

+1-408-418-9388 access code 129 194 3574

1. CALL TO ORDER
2. MINUTES REVIEW (from previous meeting 7/13/2020)
 - a. Action items review
3. PUBLIC COMMENT
 - a. Public call in to: +1-408-418-9388 access code 129 194 3574
4. CORRESPONDENCE
 - a. In Jurisdiction:
 - i. Email regarding motorboat noise around Sandy Point
 - b. Out of Jurisdiction:
5. TREASURER'S REPORT
 - a. Dodson Invoice
6. HARBORMASTER'S REPORT
 - a. Updated waiting list
 - b. Updated mooring list
 - c. Renewal status
 - d. New Moorings offered
 - e. Commissioner mooring survey program
 - f. HM boat status
 - g. Other HM Business
7. OLD BUSINESS
 - a. SHMP revision Status
 - i. DEEP feedback
 - ii. New maps
 - iii. Waitlist fee
 - iv. Fee updates
8. NEW BUSINESS
 - a. Online mooring mariner notifications
9. ADJOURNMENT

RECEIVED FOR RECORD
STONINGTON, CT
20 AUG - 7 AM 8:56
CYNTHIA LADWIG
TOWN CLERK

Monday mornings are so nice and quiet in Little Narragansett Bay

1 message

Cindy Bates To: Jay Spalding
<jspalding19@gmail.com>

Wed, Jul 22, 2020 at 5:27 PM

Hello Jay Spalding,

My mom, Nancy, and I are big fans of Harbor Happenings to the extent that we had copies printed at Fedex on glossy paper, one for each house on Elihu Island. And when just printing the cover in color made the cost exorbitant, the customer service guy only charged me as if it were all B&W. They look so good! And every article, interesting and informative.

Back in Natick, Mass., after a third weekend at the island, I'm so much more aware of noise -- trucks, leaf blowers, lawn mowers. Having just listened to a guy on NPR talk about the benefits of silence (or at least quieter places) — 12 minute listen — I decided to write.

<https://www.wnycstudios.org/podcasts/takeaway/segments/where-have-all-quiet-places-gone>

It is so great to see so many more boats out in 2020 than 50 years ago, when I was ten. On one of my daily swims from our dock in the part of Little Narragansett Bay opposite Barn Island, I thought to myself that this is a sign that more people have more time and discretionary income now than then — a good thing. Some boats are, however, very loud and I wonder if the Harbor Commission has any jurisdiction on this issue. I looked up the town's noise ordinance and can't tell if recreational boating would somehow fall under that (but since the noise of each passing boat is of limited duration, probably not), but we on Elihu Island can definitely hear lots of boat noise, limited pretty much, thank goodness, to weekends.

Some of this boat noise will diminish when you successfully implement the Slow and No Wake area at the west end of Sandy Point. Thank you. I have noticed that personal watercraft are particularly loud. And we can feel Aphrodite coming before we hear her. <https://blog.jetskiplus.com/coast-guard-requirements-for-personal-watercrafts/>

I notice that the Westerly Harbor and Mystic River Harbor Management plans include the ability to control noise but that neither the Stonington Harbor nor the Pawcatuck River plans mention noise. So I wonder if the noise issue could eventually be addressed in areas east of Stonington Point and north of Sandy Point.

It occurs to me that Sandy Point's status as a nature preserve, might also be a consideration for reducing the noise of boat traffic on its northern shore — for both the birds and other wildlife as well as the people who visit — especially where the channel comes so close to the island.

Monday mornings are so nice and quiet after the weekend traffic in Little Narragansett Bay, I can almost hear the seagulls on Sandy Point, the background noise of my childhoods on Elihu Island, punctuated as it was by seaside bells and horns (and shoreside train whistles).

Thank you again for all you do to manage all things boat in Stonington Harbor. This email is just to put forth the idea of looking for ways of reducing the noise of boat traffic in Little Narragansett Bay. No complaints. :)

Sincerely,
Cindy Bates (Stephen's sister, Bruce Biddle's niece, Donald Wesson's cousin)

2012 Connecticut General Statutes

Title 15 - Navigation and Aeronautics

Chapter 268 - Boating

Section 15-129 - Safety and equipment requirements for vessels. Regulation of motorboat noise.

Universal Citation: CT Gen Stat § 15-129 (2012)

(a) Vessels operated on state and federal waters shall comply with the federal and state safety and equipment requirements contained in this chapter. The federal requirements cited in this section are incorporated herein by reference. (1) Every vessel shall comply with the requirements of 33 CFR Part 175, Subpart B, as amended from time to time, regarding the number and type of personal flotation devices required to be on board the vessel, including requirements regarding the use of personal flotation devices by children. (2) Every vessel that has gasoline engines for electrical generation, mechanical power or propulsion shall comply with the requirements of 33 CFR Part 183, Subpart K, 33 CFR 175.201 and 46 CFR Subpart 25.40, as amended from time to time, regarding ventilation applicable to the vessel. (3) Every gasoline engine installed in a motorboat after April 25, 1940, except outboard motors, shall comply with the requirements of 46 CFR Subparts 25.35 and 58.10, as amended from time to time, regarding backfire flame controls. (4) Every motorboat shall have its engine equipped with an effective muffler or muffler system. (5) All motorboats shall comply with the requirements of 46 CFR Subpart 25.30, as amended from time to time, regarding fire extinguishers applicable to the vessel. (6) Every vessel shall comply with the requirements of 33 USC 2032 to 2038, inclusive, as amended from time to time, and 33 CFR Part 86, as amended from time to time, regarding sound signal appliances applicable to the vessel. (7) Every vessel shall comply with the requirements of 33 USC 2037, as amended from time to time, and 33 CFR Part 87, as amended from time to time, regarding visual distress signals and the use thereof. Every vessel operated on the waters of Long Island Sound or Fishers Island Sound shall comply with the requirements of 33 USC 2037, as amended from time to time, and 33 CFR Part 175, Subpart C, as amended from time to time, regarding visual distress signals applicable to the vessel, unless specifically exempted therefrom. Each person, operator and owner in a vessel shall comply with 33 CFR 175.140, as amended from time to time, regarding restrictions on the use of visual distress signals.

(b) No person shall operate or give permission for the operation of any motorboat on the waters of this state unless such motorboat is at all times equipped with a muffler or muffler system which enables such motorboat to be operated in compliance with subsections (c) and (d) of this section and such muffler or muffler system is in use. For purposes of this section, "muffler" or "muffler system" means a sound suppression device or system designed and installed to abate the sound of exhaust gases emitted from an internal combustion engine and causes such engine to operate in compliance with subsections (c) and (d) of this section. "Muffler system" includes, but is not limited to, an underwater through-the-propeller-hub exhaust outlet system.

(c) No person shall operate or give permission for the operation of any motorboat on the waters of this state in such a manner as to exceed the following noise levels: (1) For engines manufactured before January 1, 1993, a noise level of 90 dB(A) when subjected to a stationary sound level test as prescribed by Society of Automotive Engineers Specification Number J2005; (2) for engines manufactured on or after January 1, 1993, a noise level of 88 dB(A) when subjected to a stationary sound level test as prescribed by Society of Automotive Engineers Specification Number J2005. If a motorboat is equipped with more than one engine, such noise levels shall apply when all such engines are simultaneously in operation.

(d) No person shall operate or give permission for the operation of any motorboat on the waters of this state in such a manner as to exceed a noise level of 75 dB(A) measured as specified by Society of Automotive Engineers Specification Number J1970.

(e) Any officer authorized to enforce the provisions of this chapter who has reason to believe that a motorboat is being operated in excess of the noise levels established in subsection (c) or (d) of this section may request the operator of such motorboat to submit the motorboat to an on-site test to measure noise levels, with the officer on board such motorboat if such officer chooses, and the operator shall comply with such request. If such motorboat exceeds the noise levels established in subsection (c) or (d) of this section, the officer may direct the operator to take immediate and reasonable measures to correct the violation, including returning the motorboat to a mooring and keeping the motorboat at such mooring until the violation is corrected or ceases.

(f) Any officer who conducts a motorboat sound level test as provided in this section shall be qualified in motorboat noise testing by the Department of Energy and Environmental Protection. Such qualification shall include, without limitation, instruction in selection of the measurement site and in the calibration and use of noise testing equipment.

(g) No person shall operate or give permission for the operation of any motorboat on the waters of this state that is equipped with a muffler or muffler system cutout, bypass or similar device which prevents the proper operation of or diminishes the operating capacity of the muffler, or causes the motorboat to be operated in violation of subsection (c) or (d) of this section, except that the commissioner shall allow the installation and operation of those muffler system cutouts, bypasses or similar devices that are demonstrated to the satisfaction of the commissioner to operate in accordance with the provisions of subsection (c) or (d) of this section.

(h) No person shall remove a muffler or muffler system from a motorboat or alter a muffler or muffler system on a motorboat so as to prevent the operation of such motorboat in compliance with subsections (c) and (d) of this section.

(i) No person shall sell or offer for sale any motorboat which is not equipped with a muffler or muffler system which enables such motorboat to be operated in compliance with subsections (c) and (d) of this section. This subsection shall not apply to the sale or offer for sale of a motorboat which will be operated solely for the purpose of competing in marine races or regattas, provided upon the sale of a motorboat which is not equipped with such a muffler or muffler system, the seller shall provide to the purchaser, and the purchaser shall date and sign, the following statement: "I understand that this motorboat may not be operated for any purposes other than competing in a marine race or regatta authorized under section 15-140b of the Connecticut general statutes". Such statement shall include the hull identification number of the motorboat being purchased. Not later than five days after the sale, the seller shall submit to the commissioner a copy of such signed and dated statement. The seller and purchaser shall each retain a copy of the statement.

(j) The provisions of subsections (c) and (d) of this section shall not apply to the operation of a motorboat participating in a marine race or regatta authorized by the commissioner under section 15-140b.

(k) All devices and equipment required by this section shall be of a type and carried in the quantity and location approved by the commissioner or by the United States Coast Guard.

(l) Sirens shall not be used on any vessel, except that law enforcement vessels of the United States, this state or a political subdivision of this state may use sirens when engaged in law enforcement activities or when identification is necessary for safety reasons. Any vessel may be equipped with a theft alarm signal device if such device is so designed that it cannot be used as an ordinary warning signal.

(m) Any person who violates any provision of subsection (a) of this section shall have committed an infraction. Any person who fails to comply with a request or direction of an officer made pursuant to subsection (e) of this section shall be fined not less than three hundred fifty dollars or more than five hundred fifty dollars and shall be fined not less than four hundred fifty dollars or more than six hundred fifty dollars for each subsequent offense. Any person

who violates the provisions of any other subsection of this section shall be fined not less than one hundred dollars or more than five hundred dollars.

(1961, P.A. 520, S. 9; 1967, P.A. 449, S. 1; 1969, P.A. 145, S. 1; P.A. 73-257, S. 4, 27; P.A. 76-381, S. 21; P.A. 78-275, S. 1, 3; P.A. 83-50, S. 2, 3; P.A. 84-268, S. 1; P.A. 85-106, S. 3; P.A. 87-505, S. 1, 9; P.A. 89-388, S. 25; P.A. 97-49, S. 1, 2; P.A. 98-209, S. 18, 25; P.A. 05-76, S. 2; 05-203, S. 1; P.A. 06-196, S. 97; P.A. 08-26, S. 1; P.A. 11-80, S. 1.)

History: 1967 act made provisions applicable to vessels in federal waters, required life preservers on sailboats, canoes and rowboats as well as on motorboats, inserted new Subsec. (a)(2) re preservers for children under sixteen, renumbering remaining Subdivs. accordingly, required ventilation for enclosed engine compartments and added Subdiv. (6) requiring fire extinguishers; 1969 act added Subsec. (c) forbidding operation of improperly equipped vessel; P.A. 73-257 replaced specific vessel listing in Subsec. (a)(1) with "vessel" and "life preserving device" with "personal flotation device", deleted Subsec. (a)(2) and renumbered remaining Subsecs. accordingly; P.A. 76-381 added Subsec. (d) making violation an infraction; P.A. 78-275 inserted new Subsec. (b) re permissible noise levels and relettered remaining Subsecs. accordingly; P.A. 83-50 amended Subsec. (a) to deem a sailboard hull to be a personal flotation device; P.A. 84-268 amended Subsec. (b) by adding provision authorizing an officer to request a vessel operator to submit the vessel to a test, deleted Subsec. (d), which had prohibited operating or giving permission to operate a vessel not equipped as required, adding prohibition against the giving of permission to operate a vessel in such a way as to exceed noise levels in Subsec. (b), relettering the remaining Subsec. accordingly and amending said Subsec. by adding specific fine for refusal to submit to the test; P.A. 85-106 amended Subsec. (a) by making technical changes in Subdiv. (1), establishing an exception to the requirement of arrestors or backfire traps in Subdiv. (2) and adding Subdivs. (6) re sound devices and (7) re visual distress signals, amended Subsec. (c) by adding provisions re quantity and location, and amended Subsec. (d) to prohibit the use of sirens; P.A. 87-505 added Subsec. (e) re altered mufflers; P.A. 89-388 amended Subsec. (b) by relettering provisions re officers as Subsec. (c) and adding provisions re reasonable measures to correct a violation and moved provisions re violations from Subsec. (e) to new Subsec. (g) and added penalty for violations of Subsecs. (b) and (c); P.A. 97-49 amended Subsec. (a) to require operator or owner of certain vessels to require any child under twelve to wear personal flotation device while vessel is underway, effective July 1, 1997; P.A. 98-209 substantially amended former section and relettered former subsections to provide for more extensive regulation of motorboat noise, amending or adding Subsecs. (b) to (m), inclusive, effective July 1, 1999 (Revisor's note: The Revisors editorially substituted a period for a comma following "... Department of Environmental Protection"); P.A. 05-76 required every motorboat to be equipped with effective muffler or muffler system in Subsec. (a), defined "muffler system" in Subsec. (b), provided exception for installation and operation of muffler system cutouts, bypasses or similar devices approved by Commissioner of Environmental Protection in Subsec. (g), and added references to muffler system in Subsecs. (b), (g), (h) and (i), effective June 2, 2005; P.A. 05-203 added provision re person failing to comply with request or direction of officer made pursuant to Subsec. (e) being subject to increased fine, added provision re fine for subsequent offense and made a conforming change in Subsec. (m), effective July 1, 2005; P.A. 06-196 made technical changes in Subsec. (m), effective June 7, 2006; P.A. 08-26 amended Subsec. (a) to replace former requirements with provisions adopting federal requirements regarding number, type and use of personal flotation devices, vessel ventilation, backfire flame controls, fire extinguishers, sound signal appliances and visual distress signals; pursuant to P.A. 11-80, "Department of Environmental Protection" was changed editorially by the Revisors to "Department of Energy and Environmental Protection" in Subsec. (f), effective July 1, 2011.

SHMC FINANCIAL REPORT - 2020

	Plan	May	Jun	Jul	YTD	Probable
<u>Funds Generated:</u>						
Balance Brought Forward:	24,730	27,384.44	24,559.04	23,021.03	24,730.48	24,730.48
Paid Moorings: Com/Pvt/Pub:	128/263/14			123/30/0	123/234/14	128/263/14
Moorings Fees:	26,230	0.00	0.00	13,800.00	24,280.00	26,230.00
Miscellaneous Income:	100			262.80	262.80	100.00
Total Generated Funds:	51,060	27,384.44	24,559.04	37,083.83	49,273.28	51,060.48
<u>Operating Expense:</u>						
Mooring Admin:						
Mailings:	600				0.00	600.00
Telephone:	0				0.00	0.00
Online Mooring	4,000	118.40	773.35	28.10	1,985.79	4,000.00
Miscellaneous:	0				134.00	0.00
Sub-Total:	4,600	118.40	773.35	28.10	2,119.79	4,600.00
Boat:						
Fuel & Oil:	200				0.00	200.00
Commissioning:	2,500	2,707.00			2,707.00	2,500.00
Storage:	0				0.00	0.00
Maintenance/Repairs:	150				0.00	150.00
Equipment:	250				0.00	250.00
Sub-Total:	3,100	2,707.00	0.00	0.00	2,707.00	3,100.00
Harbor Maintenance:						
Buoy: Commission/Haul/Store:	5,000		764.66	1,421.12	3,158.48	5,000.00
Misc Service/Locker Storage:	500				0.00	500.00
Adjust Grid Alignment	1,000				0.00	1,000.00
Signage:	0				0.00	0.00
Sub-Total:	6,500	0.00	764.66	1,421.12	3,158.48	6,500.00
Dock/Pumpout:						
Dock Eqpt./Maintenance:	0			174.80	174.80	0.00
Pumpout Eqpt./Maintenance:	0				0.00	0.00
Miscellaneous	0				0.00	0.00
Sub-Total:	0	0.00	0.00	174.80	174.80	0.00
Administrative:						
Supplies:	0				443.94	0.00
Newsletter:	3,400				209.46	3,400.00
Professional Services:	1,000				0.00	1,000.00
Sub-Total:	4,400	0.00	0.00	0.00	653.40	4,400.00
Total Operating Expense:	18,600	2,825.40	1,538.01	1,624.02	8,813.47	18,600.00
<u>Approved Projects/Capital</u>						
New SNW Buoys	10,000				0.00	10,000.00
New Anchor/Channel Buoys	1,000				0.00	1,000.00
Addition to Boat Reserve	5,000				5,000.00	5,000.00
Public Access Improvement Study	2,000				0.00	2,000.00
Total Project/Capital	18,000	0.00	0.00	0.00	5,000.00	18,000.00
Total Designated Funds	36,600	2,825.40	1,538.01	1,624.02	13,813.47	36,600.00
<u>Undesignated Funds:</u>	14,460	24,559.04	23,021.03	35,459.81	35,459.81	14,460.48
<u>Notes:</u>						
Petty Cash Advance	300					
HM Replacement Boat Reserve	25,000					

Harbormaster Report

August 6, 2019

New Mooring permits issued: 0

Moorings being given up (this month): 1

New Mooring assignments in the works: 2

Deposits to SHMC account since last report: \$ 2020 YTD = \$

Storm Isaias – no reports of damage in the harbor. One report of a potentially “dragged” mooring.

Due to Dodson decision to not rent any transient moorings this season, the anchorage area has seen much more traffic. This is also carrying over to the transient dingy dock. No reports of any issues with either.

Due to the warmer than usual weather, there is more swimming from the inner breakwater. This leads to more climbing on the navigational aid there. There is currently not even a sign requesting people to “Keep Off”. SHMC needs to formally request USCG install some type of signage to help keep people off the structure.

Robert G

- Made repairs to the cabin hatch. Will explore replacement of hatch this winter.

Respectfully Submitted,

Eric Donch
Stonington Harbormaster