

**MINUTES  
HARBOR MANAGEMENT COMMISSION  
REGULAR MEETING**

WATERFORD POLICE DEPARTMENT  
May 14, 2015, 7:00 p.m.

Present: Commissioners Jane Adams, Robert Dutton, Philip Fine, and James Hamsher;  
Deputy Harbor Master Richard Miller

Absent: Commissioner Carlton Saari; Harbor Master Murray J. Pendleton

**1. Call to Order**

The meeting was called to order by Ms. Adams at 7:00 p.m. and the Pledge of Allegiance was recited. Brief comments were made regarding Chief Pendleton's retirement plans and it was announced that he had asked Ms. Adams to facilitate tonight's meeting.

**2. Minutes of the March 12, 2015 Regular Meeting**

A motion was made by Mr. Hamsher and seconded by Ms. Adams to approve the minutes of the March 12, 2015 meeting as presented. The vote was 2 in favor, 2 abstentions (Dutton, Fine).

Ms. Adams commented that Keith Nielsen from Docko, Inc. has two applications to present under Agenda Item 6.

A motion was made by Mr. Hamsher, seconded by Mr. Dutton and unanimously voted to address Agenda Item 6 at this time. For the purpose of these minutes, the agenda items will remain in chronological order.

**3. Correspondence**

- a. 03/12/15 Transmittal of D.E.E.P. Notice of Tentative Determination to approve an application by AMTRAK for repair of Bridge abutment and slope for infrastructure, Bridge No. MP 118.92 over Jordan Cove, Waterford.
- b. 03/19/15 Transmittal of D.E.E.P. Notice of Tentative Determination to approve an application by Docko, Inc., on behalf of their client, David Keatley, 54 Niantic River Road, Waterford, for construction of a fixed pier, ramp, floating dock and boat lifts for private recreational boating.
- c. FY 2013/2014 Annual Report, Harbor Management Commission
- d. 03/20/15 Transmittal of D.E.E.P. Notice of Tentative Determination to Approve an application by Docko, Inc., on behalf of their client, Mark Anhalt, 33 Oswegatchie Road, Waterford, for construction of a fixed pier, boatlift and personal watercraft lift for private recreational boating use.
- e. Copy of invoice from Save the River, Save the Hills, in the amount of \$197.50, sent to Finance on 03/23/15 for payment. This was for Waterford Harbor Management's portion of the expense for an informational sign at the entrance to Niantic River.

**3. Correspondence (cont'd.)**

- f. Copy of Town of East Lyme check dated 04/20/15 in the amount of \$1,590.95, deposited into the Waterford Harbor Management Fund, for East Lyme's portion of work performed on the Harbor Management boat by Watermark Marine Services, Inc. in August, 2014.
- g. 05/01/15 Transmittal of D.E.E.P. Permit #201407170-MG, Permittee: David Keatley, 54 Niantic River Road, Waterford, to construct a fixed pier, ramp and floating dock with boatlifts for private recreational boating.

Ms. Adams reviewed the items received under correspondence. A question was asked regarding the location of the Harbor Management boat and Mr. Miller responded it is in the water on a slip in East Lyme owned by East Lyme Harbor Master Richard Morris.

**4. Shellfish Commission Liaison's Report**

Mr. Miller reported that the leaseholders of 40 acres of shellfish beds in Thames River plan to pull up the old oyster shells, dry them out, put them back on the bottom, and then plant juvenile oysters with the hope that they will attach themselves to the old shells. Mr. Miller commented that the Waterford Shellfish Commission is planning on restocking their shellfish areas in June, and WELSCO is talking about restocking also. He's had reports that people are clamming and are seeing good numbers of scallops, which hopefully bodes well for the next scallop season.

**5. Harbor Master's Report – None.**

**6. Applications for review**

- a. Keith Nielsen from Docko, Inc. presented an application on behalf of his client, Evan Carpenter, 3 Plant Drive, Waterford, to construct 30 (+/-) LF of 4 ft. wide fixed wood pile and timber pier, install an 8' x 20' float with associated hinged ramp, restraint piles, and five braced tie-off piles. Mr. Nielsen stated that a permit for this project was issued by D.E.E.P. five years ago but the permit has now expired so the applicant must re-apply for a new one. He commented that the proposed project is exactly the same as it was five years ago. Discussion was held and questions were asked and answered.

A motion was made by Mr. Dutton, seconded by Mr. Hamsher and unanimously voted to find that the work as described in this application is consistent with the Waterford Harbor Management Plan.

- b. Keith Nielsen from Docko, Inc. presented an application on behalf of his client, Jeremy Burke, 21 Park Drive, Waterford, to construct 20 (+/-) LF of 4 ft. wide fixed wood pile and timber walkway over a high spartina patens marsh segment and 31 (+/-) LF of pile supported timber pier and install an 8 ft. x 20 ft. float with associated hinged ramp, float restraint, and tie-off piles, ladders, utilities and steps to the beach and install a boat lift with batter braced support piles. Mr. Nielsen stated that the Commission previously saw a plan at this property proposed by the former owner, John Harrington. Mr. Harrington sold the property to Mr. Burke, and since there were some concerns expressed in the past regarding the location of Mr. Harrington's proposed project, the location has now been

**6. Applications for review (cont'd.)**

changed to the west side of the property, close to Mr. John Antonino's property, and Mr. Antonino has provided a letter stating that he has no objection to the proposed project.

Mr. Nielsen commented that Mr. Burke opted for the west side and to "dog leg" the project to make it as perpendicular to the shore as possible. The location is at the far south end of the water skiing area. Mr. Nielsen met with the Town Planner, the Zoning Officer, and the Environmental Planner and addressed their concerns. As a result, the walkway will be shortened by 96 feet and a path will be created. Mr. Nielsen met with a representative of D.E.E.P. and they are okay with the plan as presented.

Discussion was held and questions were asked and answered. Commissioners made comments about public safety, location of pilings; hurricanes or severe storms that move the sand and the float may end up on sand; many water skiers use the beach in the area of this proposed project; deep water area is where boats pull skiers off the beach.

Ms. Adams commented that the HM Plan states that no proposed structure should restrict public access and Mr. Nielsen commented that if the dock needs to be higher, he can do that. Mr. Miller suggested resurrecting the old Harrington plans; he also suggested having a town meeting and inviting public comment. He stated that the property owner has a right to have a dock, there just might be a better spot for it. Mention was made about possibly moving it closer to the Town of Waterford public access area, where the beach is more rocky than sandy. Mr. Nielsen inquired/commented on the area south of the house getting shallower after Storm Irene, stating he believes there's not even a foot of water.

A member of the public, David Dimaggio, was invited to speak and he spoke on behalf of himself and his parents. He stated he's been water skiing in the area of the proposed project since he was a boy. The boats pull the skiers off the beach right in that spot and having a dock there would be problematic for him and others.

Mr. Nielsen commented on the large number of people who were opposed to the location previously proposed by Mr. Harrington. Mr. Nielsen is willing to work with the property owner, the Commission and the D.E.E.P. to come to a consensus on the best spot for the project.

A motion was made by Mr. Dutton, seconded by Mr. Hamsher and unanimously voted to table the application. It was then determined that further discussion was warranted at this time. Therefore, a motion was made by Mr. Fine, seconded by Mr. Dutton and unanimously voted to take this application from the table for purposes of further discussion.

Discussion was held regarding Mr. Miller's suggestion for inviting public comment at an informational meeting; Ms. Adams suggested she could write to D.E.E.P. with questions about longer docks; Mr. Nielsen commented he will meet with the property owner and perhaps obtain more survey information. Consensus of the Commission was to work with Mr. Nielsen, who will meet with the applicant, make revisions to the plan, and come back to the Commission.

7. **Old Business** – None.

8. **New Business**

a. **Election of Chairperson**

A motion was made by Mr. Dutton, seconded by Mr. Fine and unanimously voted to elect Jane Adams as Chairperson of the Waterford Harbor Management Commission, effective immediately.

b. **Harbor Master**

Brief discussion was held regarding the process for the appointment of a new Harbor Master when Chief Pendleton resigns as Harbor Master. Information will be obtained and presented at the next meeting.

9. **Adjourn**

There being no further business to come before the Commission, and upon motion duly made, seconded, and unanimously voted, the meeting was adjourned at 8:30 p.m.

Respectfully Submitted,



Kathy A. Kent  
Recording Secretary