

HARBOR MANAGEMENT COMMISSION MEETING MINUTES

Tuesday, July 26, 2016

City Hall, Room 210, 5:00 PM

MEMBERS PRESENT

Alderman H. Tucker Braddock, Jr.

Alderman Gerald Martin

Josh Bakoulis

Richard Benoit

Michael Gualtieri

OTHERS PRESENT

Geoffrey Steadman – Consultant

Melinda Wilson – Recording Secretary

MEMBERS ABSENT

Homer Callicutt

CITIZENS PRESENT

None

1. Call to Order: Alderman Martin called the meeting to order at 5:00 PM.
2. Determination of Quorum: It was determined a quorum was present.
3. Approval of Minutes June 28, 2016:
On a motion to accept as submitted by Alderman Braddock, seconded by Michael Gualtieri, the Commission unanimously voted to accept the minutes of the June 28, 2016 of the Harbor Management Commission (HMC) as presented.
4. Correspondence:
 - a. The June HMC Financial Report was reviewed. On a motion by Alderman Braddock, seconded by Mike Gualtieri, the June Financial Report was accepted.
 - b. Alderman Martin reported HMC sent a letter to the DEEP asking for clarification regarding Thayer's Marine permit draft as discussed at last month's meeting.
5. Harbor Master Report:
Michael Valentine, Harbor Master, was not present.
6. New Business:
 - a. Alderman Martin reported that events are being held on the Harbor without approval of the HMC. He presented and reviewed a document containing elements of state statute, city code

and the Harbor Management Plan that relate to the HMC's review of events along the waterfront. He admitted the document to be entered with the meeting minutes. It will be shared electronically with the HMC members. Geoff Steadman noted that applications for permits should be reviewed by the HMC to determine if they affect the Harbor Management Plan. Also, the City and land use agencies have to give plans and permit information to the HMC to review. Geoff reported that departments, organizations and agencies must give the HMC 35 days' notice.

- b. Discussion ensued regarding the potential Department of Energy and Environmental Protection (DEEP) permit that would be issued to Thayer's Marine. Discussion revolved around the mitigation requirements of the proposed permit. Alderman Braddock handed out copies of the Army Corps of Engineers public comment form on the proposed project and mitigation plan. Public comment is open until Friday of next week, August 5. It was agreed that Geoff would draft a letter of response from the HMC to address the Army Corps of Engineer public comment form.

7. Old Business:

- a. Painting of caution area at boat launch: Alderman Braddock reported the Department of Public Works (DPW) has started this project.
- b. Repainting of no parking area at end of boat launch: Alderman Braddock will ensure this gets done. His next meeting with DPW is Monday.
- c. Kayak Trail Map Sign Installation: Alderman Braddock reporter two signs have been installed.
- d. Harbor Cam: Alderman Martin will reach out to Scott Barbarossa of Alarming Design for an estimate on installation.
- e. Social Media: Josh Bakoulis has updated the Facebook page with pictures but not launched it.

8. Citizen Comment: None.

9. Other: None.

10. Adjournment:

On a motion to adjourn by Alderman Braddock, seconded by Josh Bakoulis, the Harbor Management Commission meeting adjourned at 5:44 PM.

*Respectfully submitted,
Melinda Wilson
Recording Secretary*

The Harbor Management Plan approved by the State of CT and adopted by the City Council sets up a "harbor management consistency review" process whereby the Commission is to review all proposals affecting the Harbor for consistency with the policies and recommendations in the Harbor Management Plan. This includes proposals that are submitted to state agencies such as the DEEP, and proposals submitted to city agencies. This review process is authorized by the CT General Statutes and the Norwich Code of Ordinances.

This is from the CT General Statutes

Sec. 22a-113p. Action on applications to municipal agencies referred to commission. The [harbor management] 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.

This is from the Norwich Code.

Sec. 3.5-1.5. - Purpose, powers, duties and responsibilities of the harbor management commission.

The purpose of the harbor management commission shall be to prepare a harbor management plan in accordance with G.S. §§ 22a-113m—22a-113o, as amended. The commission may expend funds or incur debts on behalf of the city, hire staff and consultants for the preparation of a plan and to assist with any subsequent powers, duties and responsibilities pursuant to the plan to the extent such expenditures are specifically authorized by the city council. Upon adoption of the plan, the commission shall provide for the annual review of the harbor management plan and shall make any additions and/or modifications to the plan that may be deemed appropriate, subject to the process set forth in G.S. §§ 22a-113m—22a-113o, as amended. **In addition, the commission may exercise any of the following powers, duties and responsibilities:**

(1)

To recommend ordinances for adoption by the city council which implement the harbor management plan and which may specify fines for violation of those ordinances, in accordance with the city Charter and G.S. § 22a-113m;

(2)

To assist the harbormaster in the assignment of moorings, the management of mooring and anchorage areas and the collection of mooring fees after a local mooring fee system is established by ordinance;

(3)

To prepare an operating budget for the commission using funds from sources which may include, but are not limited to, general fund appropriations, mooring fees, violation fines or a harbor management fund established by city ordinance;

(4)

To assist in the coordination of all public and private agencies, commissions and other organizations which have interest or jurisdiction within the harbor area;

(5)

To review and make recommendations on proposed land and water use activities contiguous to the waterfront and within the commission's jurisdiction that are received for review by other municipal agencies;

(6)

To review for consistency with the harbor management plan any public notice of an application for a local, state or federal permit for an activity taking place within the commission's jurisdiction and to respond in a timely fashion with recommendations to the regulating agencies;

So if a city agency or department approved use of Brown Park or any other waterfront site for a special event and didn't first seek recommendations from the Harbor Management Commission, that would be contrary to the state statute, city code and Harbor Management Plan.

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