



TOWN OF WESTPORT
SHELLFISH COMMISSION

TOWN HALL – 110 MYRTLE AVENUE
WESTPORT, CT 06880
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MINUTES
WESTPORT SHELLFISH COMMISSION
NOVEMBER 4, 2020

ATTENDANCE

Commission Members:

Heather Williams, Chair
Dick Harris
Clarinda Higgins, Alternate

Ex-Officios:

Alicia Mozian, Conservation Director
Mark Cooper, Westport/Weston Health Department Director

Staff:

Susan Voris, Admin. Asst. II

Guests:

Catherine Calise, Applicant for 263 Riverside Avenue
Alex Gurevich, Property Owner of 263 Riverside Avenue

The November 4, 2020 meeting of the Westport Shellfish Commission was called to order at 6:30 p.m. via Zoom by Chairman, Heather Williams.

This is to certify that these minutes and resolutions were filed with the Westport Town Clerk within 7 days of the November 4, 2020 meeting of the Westport Shellfish Commission pursuant to Section 1-225 of the Freedom of Information Act.

Alicia Mozian
Conservation Director

1. New Business

- a. **263 Riverside Avenue:** To construct a public transient dock with multiple slips, finger walkway, ramp for boat and personal watercraft use. The dock, ramp and walkway will be lightweight material that will be delivered in sections, assembled on land and lowered into the channel by hand at low tide.

Ms. Mozian explained the purpose for the meeting is for the completion of the Shellfish Commission Determination for the dock application to CT DEEP.

Catherine Calise presented the application. The concept is to allow boaters, kayakers, paddlers, etc. to tie up, get some food and rest pit while on the River.

Ms. Voris brought up the plans onscreen while Ms. Calise reviewed the location of the mean low water and the coastal jurisdiction line, which is at the seawall. The dock design includes a gangway, which is 30 feet long, a 8 foot by 90 foot main float and four, 20 foot finger floats. The floats will have float stops at the bottom to prevent scouring. The entire dock is about 60 feet from the seawall, which will not interfere with navigation. The encapsulated floatation is on the underside of the floats to prevent scouring. Photos were shown of the area taken at low tide. No spartina or other tidal wetland vegetation seems to be present. The dock will be a composite material delivered in sections, constructed onsite and lowered into the River at low tide. Four pilings are proposed. They will be installed by hand. They will most likely include a ringlet to allow movement of the float.

Ms. Williams asked why the dock has to be 60 feet into the river.

Ms. Calise stated this is the necessary length off the wall to achieve a manageable slope. Also the water is more shallow in this area as opposed to lower in the river; therefore, they need a longer dock to reach water.

Ms. Higgins noted the address of the buildings on SK-01 is wrong. It should be 263 and 265 Riverside Avenue. She added that a section of the dock on the south side appears to extend beyond the property line.

Ms. Mozian indicated that this would be okay as it is beyond the mean high water.

Alex Gurevich stated that he would have the dock redesigned so that the dock remains within the confine of his property boundaries.

Ms. Higgins asked if the dock has to be a certain height so that people can walk underneath.

Ms. Mozian stated that during review DEEP will look at whether there is tidal vegetation that needs sunlight and that would be a deciding factor. That does not appear to be a factor in this case.

Ms. Higgins questioned the length of the dock. She asked why a 90 foot long dock is needed.

Mr. Gurevich stated they are redeveloping the property. The plan is to have a clamhouse restaurant. He added they have received approval for 260 and 264 Riverside Avenue to develop as apartments. Those apartments would also have access to these docks but the docks are not limited to these residents.

Mr. Harris noted that there are already kayak floats at the property.

Ms. Higgins noted this area is a prolific area for spawners even if it is not worked. She is opposed to the kayak floats extending beyond the finger floats. She questioned how the pilings would be installed.

Mr. Gurevich stated he has been assured that the pilings could be driven by hand. They will be no bigger than necessary and will have rings to allow the floats go up and down. The dock will not be taken out of the water during the winter but will be designed to do so if there is a need like a hurricane or severely cold winter.

Ms. Mozian noted this area of the river is a Prohibited area. It is a natural bed.

The Commission discussed conditions or recommendations including:

- The pilings should be driven by hand;
- The address listed as 264 should be corrected to 265 Riverside Avenue.
- Add the float stop distance above the substrate;
- Eliminate the kayak floats as they go past the finger floats;
- Retain the word “transient” to the dock in the project description;
- Recommend to design to withstand wind and wave action during 100 year storm events; and
- Schedule on the Shellfish Commission agenda during CT DEEP public comment period.

Motion to find the transient dock proposal is within a natural bed but will not cause and adverse impact with recommendations.

Motion:	Higgins	Second:	Williams
Ayes:	Higgins, Williams, Harris		
Nayes:	None	Abstentions: None	Vote: 3:0:0

2. Approval of the July 1, 2020 minutes.

The July 1, 2020 minutes were approved as submitted.

Motion:	Higgins	Second:	Harris
Ayes:	Higgins, Harris, Williams		
Nayes:	None	Abstentions: None	Vote: 3:0:0

3. Treasurers Report

Ms. William read the treasurer’s report ending September 30, 2020.

4. Police Report

Ms. Voris gave an update she received from Officer Fearon, who was unable to attend due to being on a military deployment.

Officer Fearon noted there was an arrest made from Old Mill Pond last week for the following violations:

- Shellfishing without a permit;
- More than 1/2 bushel;
- Shellfishing in a closed area; and
- Clams less than 1.5 inch.

Officer Fearon stated that he would schedule an inspection for the seed oyster boat when he gets back to work.

Marine 2, 3 and seadoo were removed and winterized. Marine 1 is the only vessel left for calls of service.

5. Recreational Shellfish Report

Ms. Voris submitted the following Recreational Shellfish Report:

The Commission has issued **537 annual recreational permits** as of September 30, 2020. There were **338 renewals** and **199 new permits**. (62.9%/37.1%)

Adult Resident Permits issued –	320	(\$ 9,570.00)
Senior Resident Permits issued –	197	(\$ 2,820.00)
Adult Non-resident Permits issued –	15	(\$ 900.00)
Senior Non-resident Permits issued –	5	(\$ 150.00)
Daily Permits issued -	16	(\$ 240.00)

The Commission has collected **\$13,680.00** since December 26, 2019 when we began issuing the 2020 recreational shellfishing permits.

9 senior permits were issued to people who are 85 and older for free.

Closures:

Month	Days Open	Days Closed	Total Days
January	31	0	31
February	29	0	29
March	31	0	31
April	17	13	30
May	5	26	31
June	30	0	30
July	31	0	31
August	31	0	31
September	30	0	30
October	21	10	31
November			
December			
	256	49	305

Notes:

Closure Events

4/13/20 - > 1.5"

4/27/20 - transplant - water temp 45 degrees

10/16/20 - >1.78"

10/30/20 - >1.5"

Issuance of Recreational Shellfishing Permits have for the most part stopped. In October, we only issued two permits. This is a normal cycle. Now, we will begin looking at 2021 season.

Of note, we issued one Seed Oyster Permit in the last week.

6. Other Business

a. Report on Sea Grant Shellfish Restoration Planning Meeting

Ms. Higgins and Ms. Williams reported they attended the planning meeting. They indicated the purpose was for gathering data for GIS layering.

b. Ms. Higgins asked if there was any update on the Shellfish Ranger position.

Ms. Williams stated no. She indicated that the sub-committee will try to work on it.

The November 4, 2020 meeting of the Westport Shellfish Commission adjourned at 7:59 p.m.

Motion:	Higgins	Second:	Harris
Ayes:	Higgins, Harris, Williams		
Nays:	None	Abstentions:	None
			Vote: 3:0:0