



**SHELLFISH COMMISSION**  
TOWN HALL – 110 MYRTLE AVENUE  
WESTPORT, CT 06880  
P 203.341.1087 F 203.341.1088

**WESTPORT™**

**DRAFT  
MINUTES  
WESTPORT SHELLFISH COMMISSION  
NOVEMBER 3, 2021**

ATTENDANCE

Commission Members:

Heather Williams, Chair  
Jamie Walsh, Vice-Chair  
Sam Arciola  
Dick Harris  
Clarinda Higgins, Alternate

Ex-Officios:

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

Staff:

Susan Voris, Admin. Asst. II  
Eileen Flug, Asst. Town Atty.  
Colin Kelly, Conservation Analyst

Applicants:

Randall Avery, Esq.  
Jeff Northrop, Sr.  
Jonathan Goldstein

The November 3, 2021 meeting of the Westport Shellfish Commission was called to order at 6:30 p.m. via Zoom.

This is to certify that these minutes and resolutions were filed with the Westport Town Clerk within 7 days of the November 3, 2021 meeting of the Westport Shellfish Commission pursuant to Section 1-225 of the Freedom of Information Act.

---

Alicia Mozian  
Conservation Director

- a. **Sherwood Mill Pond:** Application by Jonathan Goldstein on behalf of Haslea, Inc. for a proposed aquaculture project that would authorize the installation of 3,796 Seapa baskets (26" L X 10" W X 6" H) attached to 14 ground lines to grow juvenile oysters within leased beds L604, L609, L610, L613, L619, L628, L632, L633 and L634 within the Sherwood Millpond.

Ms. Mozian showed a map of the shellfish beds where the proposed lines are located within the beds.

Randall Avery, Atty. presented the application on behalf of the applicant. He stated the baskets are modern oystering equipment. There will be spacing between the equipment. It can be described as an artificial reef. With regard to notification, the application asked for neighbors adjoining the project within a few hundred feet. The adjoining neighbor is an adjoining shellfish lease holder, the Cooks. The bags are rolled into a cylinder. The baskets are tied together and anchored to the floor of the pond. The spacing between the baskets maximizes the oyster growth. The project will not hinder navigation. The baskets would be 1.5 feet below the surface of the water. Even if a paddler struck the baskets, they would stay in place. The buoys are there to aide ub navigation relating to boat traffic. Most traffic is from the shellfishing operations in the pond. Kayakers will be able to go over the baskets. There will be no dislodging of the equipment. The pond has been used for aquaculture for many years.

Ms. Mozian presented a list of questions. These questions were prepared by Ms. Mozian and Ms. Voris.

1. You listed in your application to the CT BOA/DEEP/ACOE **191 Hillspoint Road** as the address of the operation. 191 Hillspoint Road is Town owned property. What rights do you have for use of this property for access and what is your intent? Have you presented this intended use of Town property to the Parks and Rec Commission?

Mr. Northrop indicated listing 191 Hillspoint Road was a mistake. It should have been listed as 100 Compo Mill Cove, which is the house in the pond, and has been corrected with the State. He stated the Preserve property at 191 Hillspoint Road will still be used for access into the Pond. He stated the question asked was what is the closest access to the area and that is why they listed 191 Hillspoint Road.

Mr. Walsh indicated this was a serious error on the application. He asked who the applicant is?

Atty. Avery indicated that Haslea is the applicant, who sub-leases the beds. Atty. Avery is representing both Mr. Northrop and Mr. Goldstein.

Ms. Mozian asked if they are still planning to use the Preserve.

Mr. Northrop stated yes.

Atty. Flug asked about the intended use of Town property.

Atty. Avery stated the Preserve is and always has been access to the pond. They claim an Easement of Necessity to access the pond.

Atty. Flug asked about the intensity of the project.

Mr. Northrop stated they will use the Preserve to launch or remove boats. They will use no more than they currently. In 2019, there were approximately 3 launches and 3 removals. In 2020, there were less.

Atty Flug asked how many times they will be using the pond.

Mr. Northrop stated that depends. It could be a couple a times a month. Last year, it was a maybe a dozen but that was not during covid.

Atty. Avery noted oystering in the pond takes place regularly throughout the year. If they are not putting in or taking out a boat, they can get in or out by the tidal gate. They would use The Preserve for access for inputting or removal of product. There are a total of 68 acres that can be manually oystered.

Mr. Walsh stated he inspected the site recently. The Preserve was designated as a passive recreational use. It looks like the kayak launch area has expanded and is an intensification of use.

Ms. Mozian noted Atty. Avery. offered probable use of The Preserve.

Mr. Northrop stated the only use of the Preserve is for launching. He has maintained the ramp at the Preserve for the past 22 years. He noted there are no longer any cages stacked behind the garages, which were loaded from the garage area.

Ms. Mozian clarified the need to differentiate between the boats being launched from the Preserve and how many will be used for the day-to-day operations.

Mr. Northrop stated there are 5 registered boats in operation in the pond.

Ms. Higgins stated she inspected the Preserve earlier in the day and over the weekend. She noted two boats tied up close to the shore, a U-Haul and garbage.

Ms. Mozian noted that the garbage is not necessarily attributed to the oystering operation as several streams drain into the Pond.

Mr. Northrop stated he and his crew clean up when they see garbage. They did a clean-up this spring that totalled 16 truckloads of garbage from around the pond.

2. Are there any alternative sites for access and launching, placing/removing gear and product that could be used?

Mr. Northrop stated "no". He indicated the Town of Westport removed the available access near the tide gates when they updated the tide gates.

3. From whom do you lease the beds?

Mr. Northrop indicated that Haslea sub-leases from his entities.

4. Question 9, page 4 asks "Specify the type of lease, lot or franchise." You answered "Town." Please elaborate.

Atty. Avery stated the beds predate State licensing and are considered a Franchise Grant. They stated a Town bed as this is a more accurate descriptor.

Mr. Northrop explained a franchise bed depicts ownership of land within navigable waters. These grants from the King go back to the 1700's.

5. In recent years, a motorized boat has been in use by the Northrops in the Sherwood Mill Pond to conduct their shellfish operations. In the last year we've seen that number increase. Your application lists only one, 23 ft. motorized boat to be used with your operation. Can you commit to that one boat? If this is not realistic, can you relay what we can reasonably expect in way of boating activity throughout the planting, growing and transplant season?

Mr. Northrop stated when filling out the application, the State advised Mr. Goldstein to indicate the boat involved in installing the equipment. He indicated there are 5 boats in operation within the pond.

Ms. Mozian asked about the barge.

Mr. Northrop stated this is a mechanical sorter and is one of the 5 registered boats used throughout the pond. There are 2 aluminum boats, one shellfish boat and the floating equipment barn.

6. The application also states that the boat will be docked on private property. Which private property and who owns it?

Mr. Northrop stated one boat is docked at the island house. One boat is moved throughout the pond. One boat docked at property he owns at tide gates. Two boats are tied to pilings on beds he owns near The Preserve.

7. Your application indicates that you will have 14 ground lines with 3,796 Seapa baskets attached to those ground lines. Please discuss:
- How will these be installed?
  - Is there a “construction sequence?” For example, will you only be bringing in what you can install in one day? Will there be any stockpiling of materials and where?
  - Is it the plan to install all 3,796 baskets at once or will the gear be put in gradually over time? As get the seed, will install the baskets.
  - What is the timeline for installation once you have approvals? Things take a long time
  - What are we (Town and residents) going to see once installed? For example, are the baskets going to be underwater the majority of the time and we only see the marker buoys? Will the baskets be visible at low tide? State requirement that will be flagging the . Will be visible at some points

Mr. Northrop stated the lines will be installed using a Helix anchor, which is much like a screw that screws into the strata that they own. They will only install what they can in one day. When they get seed, they will be putting it in. As they get seed, they will install the baskets. The timeline depends on the permit issuance. He noted it could take months before a permit is issued. Flags will be installed to mark the corners of the beds and either end of the lines. Some of the lines would be visible at low tide.

8. How was the number 3,796 of Seapa baskets calculated? For example, does this contemplate more than one basket per line? Are they stacked? Side-by-side? Please explain. Just the lines proposed. Gear is baskets clipped one abutting each other.

Mr. Northrop stated the baskets are hooked on the line end to end. They are spaced about 2 inches apart. They are not stacked. These baskets are from Australia. They act as an artificial reef. He noted that the closest dwelling is 2,500 feet.

9. Please discuss the requirements for the marker buoys for the gear area.

Noted above with the flagging requirement.

10. The Mill Pond Preserve (191 Hillspoint) cannot be used for storage of cages and equipment. What property will gear be set up on? And on what private property will the gear be stored?

None of the gear is stored on Town property. The gear will not be stored on private property. It will be brought to the pond when it is needed. That is when we would see the U-Haul trucks. He added the pond is a Restricted Relay area and the photos taken by Chair Williams showing the orange baskets is product ready to be moved out to “clean” areas in the Sound to deperate so that they can be taken to market.

11. According to the State Bureau of Aquaculture, there are currently approved Aquaculture activities by Jeff Northrop in Lots 609W, 617W and 619W. Are these the areas where you recently removed the Seapa baskets from? How many Seapa baskets were removed? Are these being replaced by the newly proposed baskets?

Mr. Northrop stated approximately, 1,000 to 1,5000 were removed. These baskets will go back in the Spring.

Ms. Mozian clarified that the 3,796 proposed baskets are in addition to what is currently in the pond. Therefore, the total number of baskets would be approximately 5,600 baskets if this application were approved.

Mr. Northrop agreed. He noted that he can plant the entire bottom without any permits, if he uses no gear. He does have permits for the gear he has now and he would require more permits if more gear is desired. .

12. Approximately how far away from residential property are the two closest ground lines? What protections are there, if any, that those residential properties are not encroached upon?

Mr. Northrop stated it is 2,500 feet to closest residence.

13. Your application indicates that the areas will be worked multiple times a week. The residents in this area have expressed concern with the current operations in the pond. As such, we are asking for a better understanding of:

- hours of operation;
- seasonal activity; and,
- how, in general, the operation would run.
- Will any of the baskets be taken to shore or is all work being done from the boat and in the water? Where will your workers park?
- How many worker vehicles do you anticipate.
- A permit is required for parking at the Mill Pond Preserve (191 Hillspoint). Have you acquired parking permits yet?

Mr. Northrop stated this is a farm. The hours of operation are sunrise to sunset. They would not work on weekends. The activity is seasonal ending November 15 to December 1 and restarting sometime in March. All work is done by boat. Temporary parking seasonal stickers have been issued by the Parks and Recreation Department. No parking stickers are required after October 1<sup>st</sup>, which is why Ms. Higgins did not see them on vehicles parked at The Preserve earlier in the day.

14. In the Project Description the acreage of activity totals 6.4 acres for Gear Areas 1, 2 and 3 and yet the application also lists total acreage area of 12.8 acres.

Mr. Northrop stated there are 6.4 acres currently in operation. There is another 6.4 acres proposed. This represents 10% of the total acreage of what he owns in the pond that could be farmed.

15. How will the work area impact the rights of canoeists and kayakers, who also share use of the pond?

Atty. Avery stated they do not believe this project will have any impact on canoeists or kayakers. They may have to dodge the bamboo poles.

16. How will the bags not interfere with navigation given the shallowness of the pond? For example, a popular route is to launch from 191 Hillspoint and head to the northern section of the pond and then to a connecting creek that discharges at Burying Hill Beach. This would entail boating over Bed 628W? Who is liable should one of the baskets/lines be damaged by a boater?

Mr. Northrop stated there is no gear in the navigational channel. People will need to go around the bamboo poles.

17. The start date listed on the application is June 1, 2021. Why is that listed? Has the work already begun and if so, by what authority?

Mr. Northrop stated this was an optimistic start date but it was not realistic. No work started.

18. There are osprey nests locations that have not been shown on the maps.

Mr. Northrup noted that the osprey nests are on land and not within the beds. There are no nesting osprey nests within 1,000 feet of the proposed work. They did not show the osprey nests because they are on land.

19. Question 7, Page 8 asks "Is the proposed project location in an area identified as, otherwise known to be, a habitat for Connecticut endangered, threatened or special concern species?" You answered both "Yes" and "No." Please explain.

Mr. Northrop stated this was an error made on the application. The answer is "no". Haslea is the operator and he is the owner of the beds. He has been involved with the pond since he was 9 years old. They received a NDDB from the CT DEEP. He noted the huge amount of bird life on the Pond, which is more than he has seen in 60 years. He also noted that Diamondback Turtles are making a comeback. He feels the oystering activity has had an actual positive impact. He noted that a single oyster filters 50 gallons of water per day.

Ms. Williams noted the NDDB was based on the information that was available to the DEEP at the time. She indicated that there is less habitat available for the birds, which is why the pond is so important.

20. Will this operation require the tidegates to be opened on a more frequent basis?

Mr. Northrop stated "no".

21. Has anyone determined the carrying capacity of the Mill Pond as it relates to seed oyster growth?

Mr. Northrop stated he hired Long-Line International several years ago to determine this. They estimated that 50,000,000 oysters could be grown in the pond until an impact is realized. He stated they are no where near that level of operation.

Ms. Mozian asked to see that documentation.

Mr. Northrop stated that is proprietary company information.

Ms. Mozian suggested ACOE ask for this information.

Mr. Northrop stated this is a gear application. Environmentally, it is a plus.

22. An August 2, 2021 article on Dan Woog's "06880" blog talked about using the Mill Pond as a research and development site for growing oysters robotically in more open waters. Is this current application part of the R&D effort described in the article?

Mr. Northrop stated this is a misrepresentation. This Research & Development proposal would not be in the Pond. It would require deep cold waters. It is a robotic operation.

Ms. Mozian reviewed questions submitted by Commissioner, Rindy Higgins

Which Jeff Northrop (Jr. or Sr.) is on the board at Haslea? Which one is the owner of the beds?

Atty. Avery indicated Jeff Northrop, Sr.

What does a shellfish lease mean: i.e. does he lease just the bottom? I thought the water...i.e. water column. Where the gear will be...was in common/public trust.

Mr. Northrop stated this is a Franchise grant in which he owns the bottom. There are others that own other leases within the pond.

Ms. Mozian noted the water is within the public trust.

Mr. Northrop stated the Pond is designated a Federal navigable waterway.

Ms. Williams asked about storm protection so that gear doesn't cut loose and end up on other properties...but also doesn't get tangled in each other creating a tangled web?

Mr. Northrop stated it is less likely to come loose because it is tethered to the bottom. The gear is constantly checked. If something comes loose, they will maintain it. He noted they did a pond clean-up and took 16 truck loads away.

Beth Blumenthal, 20 Grove Point asked how tall bamboo flags would be.

Mr. Northrop stated there would not be any flags/gear until they have permits. They will not be next to Grove Point Road. The bamboo polls will be 12 feet long with 2 small blue flags and will be dug in into the corners of each lot. They only have to have the flags on beds that are actively being worked. He indicated Beds 632, 633 and 634 are the least likely to have gear placed on them.

Tom Stanford, 3 Old Mill Road, stated he has been a resident of Westport for 27 years. He reviewed his PowerPoint presentation. He indicated these are his personal comments, but the Sherwood Mill Pond Committee will be convening to officially adopt these comments to send to the State. He stated there are a growing number in the community who are opposed to what is happening in the pond. They have formed a 501c/3 SaveMillPond.org to fight the application. They want to deny the application and diminish the existing operations taking place in the pond. He highlighted the application's inconsistencies. He believes it is an industrialization of the pond. NDDDB is not an endorsement. He noted questions he believes are germane to this application including:

- "Not applicable" is not an acceptable answer;
- There is a need to verify if there is eel grass and if so, how will it be impacted;

- Sub-section G, Question 5, Potential Adverse Impact – Mitigation to impact. He stated there is a stark contrast in what is being communicated versus what is actually happening.

Question 7 – Endangered, Threatened Species – NDDDB is not a blank check. There is no validation nor is an endorsement. Shannon Kelly said no species list was provided in the application. List shared by the Bureau of Aquaculture eliminated the Bald Eagle, Diamondback Terrapin, Great Egret, Osprey, Yellow Crowned Night Heron and Upland Sandpiper. He believes this serves as a basis for warranting a complete inventory and application re-submission.

Question 8 – He argued that if question 7 were answered correctly, then question 8 would have been answered differently.

- Section F, Question 1 – He stated that there are 5 boats in operation in the pond, not the one boat listed in the application. He added there are no motorized boats allowed in the Mill Pond. He feels that motorized boats would not be good. He is looking for clarification from the Town.
- Section 6, Question 5 – Who is Chiller Island Shellfish? Several entities have been listed within this application, but we specifically do not know who this is.
- Section 19 – Purpose – “to restore the Pond” – He believes this is in stark contrast to what he see. This is 2 to 23 times ramping up of the activity in the pond. His group will provide photographic examples to prove. He added the application did not meet the intent of the question of notification of adjacent owners. Does not believe that meant abutting shellfish bed owner but adjacent landowners. He added he experiences people shoveling oysters within 10 to 20 feet of his property.

Atty. Avery noted Mr. Stanford was going off topic. He was well over his time limits. He added that Mr. Stanford’s comments were not germane to the subject.

Ms. Williams allowed Mr. Stanford to continue.

Mr. Stanford suggested it was the State’s intent to require proper notification of abutting land owners not shellfish bed owners. He noted:

- Section 24 – There were 5 illegal buoys that were recently removed. The fact that they were illegally placed contradicts the statement by the applicant that they are in compliance.
- Section 25 – Related to notification concerns.

Mr. Stanford summarized that it is his intent to have this slide presentation adopted by the Sherwood Mill Pond Committee and submitted to the State.

Debra Webb, 37 Old Mill Beach stated there was no mention of launching of oyster tours.

Ms. Mozian stated this is not germane to the Shellfish Commission. If they were to resume, Ms. Webb can be assured that the Town will be reviewing that activity as it had already been reviewed by several departments.

Mr. Northrop stated there have been no oyster tours this year.

Ms. Williams stated she reached out to noted birder, Tina Green for list of species who would use pond and she shared that list.

Glenn Schattman, 52 Compo Mill Cove, disagrees with Mr. Northrop’s assessment of impact. The fence Mr. Northrop put up along his property adjacent to the tidegates interferes with their ability to bring supplies their houses because the path is now too narrow to accommodate a cart and someone else walking down the path. He also believes this is a doubling of the activities in the pond.

Mr. Northrop stated bottom planting requires the same number of boats but an increased number of people. Max number of people working today are 5. He noted the fence is on private property.

Mr. Stanford stated they have photos showing 10 to 12 people working on multiple boats.

Matt Murray, 27 Old Mill, agreed with Mr. Stanford’s comments. He showed a photo taken earlier in the day showing a Galt bag interfering with the tidegate walkway. He stated he also did not get notice. He indicated this is a commercial activity. There is a giant gap in aquaculture activity taking place in the pond between 1988 when he purchased his property and today and how the increased activity on the pond will affect his property values.

Atty. Avery stated the focus of the application is to install baskets for growing oysters. The oysters are good for water quality and good for the environment. There is no evidence submitted that an adverse impact will occur. The proposed gear area is minimal compared to the 68 acres that Mr. Northrop could be farming. The gear also results in less employees. It is a legal navigable waterway. This is the last farm in Westport and what the State deems to be a safe source of protein and encourages this type of activity/farming. Canoes and kayaks can access. This is for the betterment of the Pond's ecosystem.

Motion to close hearing. Jamie/Dick 6:0:0

The Commission and staff reviewed the questions provided by the State and provided the following comments.

- a. The Commission found that the proposed activity will **NOT** cause interference with local navigation or navigable thoroughfares, demarcated channels or inhibit access to waterfront parcels.
- b. The Commission found that **YES**, there are existing structures, moorings or other obstruction in the vicinity of the proposed work that are not shown on the plans.

Specifically, the Commission found that there are three Osprey platforms on land directly adjacent to where the proposed baskets would be installed.

- c. The Commission found that **YES**, it is aware of specific water dependent uses at this location which may be impacted by the proposed structures.

Specifically, the Sherwood Mill Pond is a popular spot for canoes, kayaks, paddleboarders, crabbers and kayak tours. The property belonging to the Town located at 191 Hillspoint Rd., and which the applicant states is the area from which access is gained to the Mill Pond, is also where a designated public launch site is for these non-motorized boats. The boaters often traverse the pond in a northeast direction to a watercourse connection that outlets to Burying Hill Beach on the east side of Sherwood Island State Park. Boaters would need to paddle across the location of where the baskets are proposed especially over bed 628W.

- d. The Commission found that **YES**, it is aware of special aquatic resources or habitats of concern, state of federal listed species or local recreational shellfish beds that could be impacted by the proposal.

Specifically, the Commission found from a list provided by Shannon Kelly of your staff that the following bird species are listed as threatened or of special concern in the Mill Pond:

Great Egret, State Threatened  
Snowy Egret, State Threatened  
Glossy Ibis, State Special Concern  
Little Blue Heron, State Special Concern  
Yellow-crowned Night Heron, State Special Concern

Furthermore, Bald Eagles, a State-Threatened species, are present on the Mill Pond.

The following reptile species is also found in and around the Mill Pond: Northern Diamondback terrapin, a State Species of Special Concern.

Attached is a list of birds that regularly use the Mill Pond seasonally as prepared by Tina Green, CT Ornithological Association and Avian Records Committee of CT

Furthermore, it is uncertain whether eelgrass beds are present or not, as no investigation has been completed.

In addition to the above, the Westport Shellfish Commission offers the following comments, concerns and recommendations:



The application as prepared has several inconsistencies throughout. These include, but are not limited to:

- The address of the project on the application to the Army Corps of Engineers is listed as 191 Hillspoint Rd. This is town-owned property and the applicant has not requested or received authorization to use the property for the launching of vessels or parking of commercial vehicles at this property.
- The number of boats to be used in the operation is listed as one in the application and yet testimony provided at the meeting said there would be five boats in operation;
- The applicant informed the Commission that the beds are franchised and not “Town” as answered in Question 9;
- The applicant answered both “yes” and “no” to Question G7 indicating that a new wildlife survey needs to be done for the Mill Pond as part of this application review. This is especially true since one hasn’t been done in nearly 20 years and that, if the intent of the applicant is to increasingly add more gear into the pond, a baseline **wildlife inventory** should be done so as to monitor impact of increased aquaculture activity over time.

Based on these inconsistencies alone, the Westport Shellfish Commission finds that the application should be withdrawn and resubmitted once inconsistencies are corrected on the application form and once it has been determined what authority the applicant has to use town property, in-part, to conduct its business.

Furthermore, without a wildlife inventory and an aquatic survey, it is really impossible to answer definitively if the proposed activity will cause an impact to aquatic or wildlife species. Without this knowledge, one must assume that the activity “could,” indeed, result in an impact.

In addition to the above, the Westport Shellfish Commission recommends the following.

1. That the Bureau of Aquaculture and or CT DEEP and or Army Corps of Engineers requires an **Operations Plan** from the applicant to better understand the amount of anticipated activity in and around the Mill Pond throughout the year. This would include such things as the hours of operation, total number of vessels to be used in the operation, the amount of gear and when it will be installed and removed, where workers will park and how many vehicles are anticipated.

The Sherwood Mill Pond is an estuarine embayment situated in a very densely populated section of the community with residential homes directly abutting the Pond. The proposal will significantly increase activity in and around the Pond. And, presumably, if this endeavor is successful, it is possible that an application to install more gear will be applied for in the future putting even more pressure on the Pond. Having some sort of document that outlines what can be expected with this type of operation would be most helpful.

2. An **Environmental Impact Assessment** should be required to analyze the impact that the placement of this many structures will have on the plant and aquatic life in the pond, including benthic species, as well as the huge, varied bird population that visit and or call the Mill Pond home. An EIS would also include impact on the shoreline from erosion of the embankment in the launch site and the increase in trash within the Pond resulting from the operation.
3. An **analysis of the carrying-capacity of the Mill Pond** as it relates to seed oyster growth. This is important to determine now, before an increase in activity is approved and potentially more is applied for in the future. During the hearing, the owner of the beds did state that this analysis had been done but he refused to share that with the Town for proprietary reasons. If this is understandable, then the State and or Army Corps can request to see it and have it on file as this and future applications are submitted.

In summary, the Westport Shellfish Commission finds that the application should be withdrawn and resubmitted in order to correct inconsistencies in the application form. Furthermore, additional information including submission of an Operations Plan, Wildlife and Plant Inventory of the Mill Pond an Environmental Impact Assessment and a Carrying-Capacity Analysis should be conducted. Finally, and most importantly, until it is determined if the applicant has Town authorization to use the town-

owned property at 191 Hillspoint Rd. to conduct, in-part, its business, then the application review should be put on-hold.

Motion to adopt.

**Motion:** Walsh **Second:** Harris  
**Ayes:** Walsh, Harris, Arciola, Higgins, Williams  
**Nays:** None **Abstentions:** None **Vote:** 5:0:0

2. Approval of the September 1, 2021 minutes.

The September 1, 2021 minutes were adopted with corrections.

**Motion:** Higgins **Second:** Walsh  
**Ayes:** Higgins, Walsh, Arciola, Harris, Williams  
**Nays:** None **Abstentions:** None **Vote:** 5:0:0

3. Treasurers Report

Ms. Williams read the checking account balance ending September 30, 2021 into the record.

4. Police Report

Ms. Voris reported Sgt. Fearon sent an e-mail stating that Michael Oravez, who had received a Seed Oyster Permit, has had his boat inspected and has passed. Mr. Oravez is reporting in when he is going out on the beds to do his seed oystering.

5. Recreational Shellfish Report

Ms. Voris submitted the following report:

The Commission has issued **582 annual recreational permits** as of October 25, 2021. There were **361** renewals and **221** new permits. (62%/38%)

Adult Resident Permits issued –	<b>344</b>	<b>(\$10,290.00)</b>
Senior Resident Permits issued –	<b>217</b>	<b>(\$ 3,120.00)</b>
Adult Non-resident Permits issued –	<b>16</b>	<b>(\$ 960.00)</b>
Senior Non-resident Permits issued –	<b>5</b>	<b>(\$ 150.00)</b>
Daily Permits issued -	<b>4</b>	<b>(\$ 60.00)</b>

The Commission has collected **\$14,610.00** since December 30, 2020 when we began issuing the 2021 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	28	0	28
March	31	0	31
April	30	0	30
May	10	21	31
June	24	6	30

<b>July</b>		<b>7</b>		<b>24</b>		<b>31</b>
<b>August</b>		<b>31</b>		<b>0</b>		<b>31</b>
<b>September</b>		<b>8</b>		<b>22</b>		<b>30</b>
<b>October</b>						
<b>November</b>						
<b>December</b>						
		<b>200</b>		<b>73</b>		<b>273</b>

**Notes:**

**Closure Events**

5/10 -5/12 Transplant - 300 bushels

5/28 & 5/29 - 2.5" rainfall

7/2 - 2.9" rainfall

7/8, 7/9 - 6.4" rainfall

9/2 - > 4" rainfall

9/24 - 2" rainfall

6. Old Business

7. Other Business

a. Discussion of discovery of Mitten Crab within Deadman's Brook.

Mr. Harris noted that a Mitten Crab was found in Deadman's Brook by HarborWatch. They were found in the Housatonic River last year. The Mianus River also has them. These are a freshwater crab. They will go into the estuary in November to spawn and then go back up into freshwater

Ms. Mozian noted concern with the Mitten Crabs escaping from Deadman's Brook into the Saugatuck River.

Mr. Harris stated there is a lack of predators and they multiply exponentially. They cause streambank erosion. Their primary predators would be Stripers, Black Sea Bass, Black Fish and Racoons on dry land.

Ms. Mozian stated she would have the Mitten Crab poster posted on the Facebook and the Shellfish website.

b. Update on crabbing activity within the Sherwood Mill Pond.

Ms. Mozian noted the season is coming to an end, November 15. She has reached out to CT DEEP Marine Fisheries and spoke with Capt. Keith Williams on October 4, 2021. She followed-up with Capt. Williams and David Carey of BOA to see if crabbing is allowed on an active oyster bed but has had no response. She noted that Mr. Northrop is not happy with the crabbing activity and has filed a complaint with the Police and been in contact with the DEEP. He will be placing "No Trespassing" signs on his property within the pond. She noted Sgt. Fearon is getting more information and will be able to share that when he is next at a meeting.

The November 3, 2021 meeting of the Westport Shellfish Commission adjourned at 10:04 p.m.

**Motion:** Williams **Second:** Higgins  
**Ayes:** Williams, Higgins, Arciola, Harris, Walsh  
**Nays:** None **Abstentions:** None **Vote:** 5:0:0

