

Branford Shellfish Commission

Established 1987

Town of Branford, CT

MEETING MINUTES

Date: April 11, 2017
Location: Canoe Brook Senior Center
Time: 5:00 PM

1. Attendance

1.1 Commission Members Present: T. Pulcinella (Chair), R. Zettergren, R. Stoecker
R. Lillquist, M. Hallier

1.2 Commission Member Missing: D. Stienhardt, Vacancy

2. Call to Order

2.1 Chairman Tony Pulcinella called the meeting to order at 5:04 P.M.

3. Approval of Minutes

3.1 February minutes were discussed. *A motion was made by M. Hallier and seconded by R. Zettergren to accept minutes.* Motion passed unanimously.

4. Public Forum

4.1 *Tech Planner Assoc.* presented a plan for the relocation of a drainage pipe on the property at 1 Church Street. It was determined that there were no negative impacts to shell fishing. *A motion was made by R. Zettergren and seconded by M. Hallier to approve project.* The appropriate form was signed off on. Motion passed.

4.2 *John Lust* presented a project at 130 Riverview Ave. for a pier and dock project on the Farm River. This was a matter from the last meeting because of questions that BSC had for operations within the “natural oyster beds” and the statutory authority to grant licenses and permits within those areas. Chairman Pulcinella subsequently had a discussion with David Carey the Director of Aqua-culture, concerning this matter. He was assured by Director Carey that a pending dock application was ok, and had a minimal affect on the shellfish beds and further stated that the taking of seed oysters from the area was also ok. It was determined that there were no further issues on this matter. *A motion was made by M. Hallier and seconded by R. Zettergren to approve the project.* The appropriate form was signed off on. Motion passed.

4.3 *John Sisk – Midstate Shellfish, LLC* submitted a request to work within two areas for the purpose of harvesting seed oysters under Co-Management agreements. This matter came before us at the last meeting. Area#1 is that portion of the Branford River that lies between the bridge at Indian Neck Avenue and the So. Montowese Street bridge, which will be hereinafter designated as the “upper Branford River Oyster Seed Bed”, consisting of 26.3 acres, more or less Area #2 is that portion of the Branford River

below Sybil Creek, south of the channel and bed #38, where the sunken barge is, and is known as the “Branford River Special Co-Management Area”, consisting of 24.94 acres, more or less. A discussion ensued regarding price per acre, which was subsequently set at \$12.50 per acre per annum. ***A motion was made by M. Hallier and seconded by R. Zettergren to approve.*** The motion passed unanimously. It was noted that P. Consiglio was interested in the latter area.

4.4 *Mike Torelli* requested a seed permit for an area between Halls Point and Stony Creek beach, close to shore. He is no longer interested in the Farm River. After a short discussion, ***M. Hallier made a motion that was seconded by R. Stoecker, to table this matter until the next meeting.*** The motion passed.

4.5 *Ben Goetsch –Red Rock Oyster Co., LLC* was still waiting on the BSC’s decision regarding his application to lease portions of 2 certain shellfish beds that were previously private granted beds owned by Edward Lang, and sold to the State of Connecticut. While in the private ownership, these beds being granted and owned by others did not come under the jurisdiction of the BSC. Mr. Goetsch contends that in his opinion, once the State of Connecticut took title to privately owned shellfish beds that they then fell under jurisdiction of the BSC. Mr Goetch gave an extended presentation concerning the matter of jurisdiction, by citing certain case law and legislation that supports his opinion. David Carey, director of the Bureau of Aqua-culture, was scheduled to attend this meeting to address this matter, and the confusion it has generated for the BSC. Mr. Carey had to cancel his attendance to appear at the BSC’s April meeting due to a scheduling conflict he had for an out of state meeting. The commission will contact Mr. Carey and assumes he will be at the next meeting. **This matter was tabled and will be taken up again at the May meeting of the BSC.**

4.6 *Nick Pastore* applied for a lease on bed 551. ***A motion was made by M. Hallier and seconded by R. Zettergren to approve a standard lease to Mr. Pastore on 551.*** The motion passed.

4.7 *Kendall Birbarie (?)* is in the process of securing a license to conduct shell fishing. She went on record expressing interest in leasing bed 550.

4.8 *Dolan Brothers Co.* requested to conduct a survey on co-managed lots 07 and 08. ***A motion was made by M. Hallier and seconded by R. Zettergren to allow Dolan Brothers to conduct the survey.*** The motion passed.

5. **Communications and Bills**

5.1 There were no communications or bills presented.

6. **Permit Activity**

6.1 There were 4 annual and 9 senior permits issued last month and \$16.00 deposited.

7. Enforcement Report

7.1 No Activity

8. New Dock Applications

8.1 There were no new applications presented.

9. Old Business

9.1 There was no other old business

10. New Business

10.1 There were no items for new business

11. Adjournment

11.1 A *motion was made by M. Hallier and seconded by R. Lillquist to adjourn.* The Meeting was adjourned at 6:52 pm.

Respectfully submitted,

R. Lillquist
Secretary BSC