

Branford Shellfish Commission

Established 1987

Town of Branford, Connecticut

MEETING MINUTES SPECIAL MEETING – Tuesday, October 15, 2024

Date: Tuesday, October 15, 2024
Location: Community House, 46 Church Street, Branford, CT
Time: 5:00 PM

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1. Attendance: Tony Pulcinella, Marty Hallier, Bob Lillquist, Don Hennessey and Dave DeBell.
2. The Meeting was called to Order at 5:00 PM by Tony Pulcinella.
3. Review Dock Application and Shellfish Bed Impact Project – 286 Linden Avenue – Jane Farrington of the Linden Shores District addressed the Commissioners. She brought with her a copy of the Official Branford Shellfish Bed Survey Map on file in the Town Clerk’s office (Filed in 2005). The Linden Shores District conducted further research after the September BSC meeting because of discrepancies the Association believed existed between the maps presented by the Applicant and the maps Linden Shores relied upon. The BSC did not have access to the official map on file in the Town Clerk’s Office at the time of the September meeting. Her presentation indicated that there were inconsistencies with what they believed to be the proper and correct maps and that the project will indeed encroach on Shellfish bed 79. As the owners of Bed 79, they have opposed this project. They have already sent a letter to DEEP regarding the discrepancies and would like the BSC to address this matter again with DEEP. Our Chairman was made aware of the situation on October 8, 2024. That was the date of the next regularly scheduled meeting, which was cancelled due to the lack of a quorum. The Chairman drafted a letter for the commission to review regarding this situation to be sent to DEEP. On a Motion by Marty Hallier and seconded by Don Hennessey, it was unanimously agreed to accept and approve the letter being sent to DEEP (Attached herein as Page 2 of 2) regarding the conflicting maps and the encroachment on privately-owned Bed #79.
4. Adjournment – On a motion by Marty Hallier, seconded by Don Hennessey, the meeting was adjourned at 5:19 by unanimous consent.

Respectfully Submitted, Doreen Denhardt, Clerk

CONNECTICUT DEPARTMENT OF ENERGY
AND ENVIRONMENTAL PROTECTION, LAND AND
WATER RESOURCES DIVISION REGULATORY REVIEW,
WEST DISTRICT

October 15, 2024

ATTN: Susan Jacobson, susan.jacobson@ct.gov
David Carey, Director, davcarey@snet.net
RE: Proposed New Dock at 286 Linden Avenue, Branford, CT 06405
Application 10022024140300
Special Meeting held October 15, 2024

On September 10, 2024 at the regular monthly meeting of the Branford Shellfish Commission (BSC), the Owner/Trustees of the property located at 286 Linden Avenue in Branford presented an application to construct a boat dock system projecting from their property into the Public Trust waters and/or shellfish beds. This property is situated within the Linden Shore Tax District. Said application, which consisted of multiple exhibits, was presented to members of the BSC by the Owner/Trustees' representatives for their review, comments, conclusions and subsequent "write off" stating what effects the boat dock project may have on the existing shellfish beds within the project area.

This boat dock project as presented to the BSC included documents that illustrated the dock structure projecting into the water approximately 81 feet from the existing concrete and rock retaining wall to the end of a 10 foot x 16 foot floating dock section and further extended by (2) 800 lb. mushroom anchors and chains an additional 50 +/- feet. Also included with this documentation is a plan entitled "Improvement Location Survey" Sheet 1 of 1. On that plan it indicates that the complete dock structure system is positioned completely within the BSC jurisdictional water and is not encroaching upon Shellfish Bed #79, which is a privately owned, granted shellfish bed outside the jurisdiction of the BSC.

On October 8, 2024 at the regular scheduled BSC meeting, Jane Farrington, President of the Linden Shore Tax District, appeared to present certain data to the BSC that conflicts with what was previously presented by the applicant for the 286 Linden Avenue Dock project. However, at that time the BSC did not have a quorum of members to conduct the meeting. Ms. Farrington cited some urgency and requested that the BCS schedule a special meeting so that her information could be presented to the BSC and become part of the official record.

At this Special Meeting conducted October 15, 2024, Ms. Farrington brought to the BSC's attention that the geographical shape of Shellfish Bed #79 (which is owned by the Linden Shore District) was not correct on the applicant's documents and the distance shown of this bed from the concrete and rock retaining wall conflicts with the Official Branford Shellfish Bed Survey Map that was placed on file in the Branford Town Clerk's Office in 2005. To further and more accurately illustrate this conflict, she also presented a more detailed map prepared by the CT Department of Agriculture Bureau of Aquaculture emphasizing the irregular shoreline boundary that is not a straight boundary of Bed #79 with reference distances plotted therein at the location where the dock proposed on this plan clearly indicates an encroachment onto Bed #79.

The Branford Shellfish Commission, Anthony J. Pulcinella, Chairman