



**TOWN OF SHELTER ISLAND
SHELTER ISLAND
NEW YORK**

**WATERWAYS MANAGEMENT ADVISORY COUNCIL
September 3, 2009 Minutes
Town Hall**

Members Present: Chairman Needham, George Zinger, Marc Wein, Mike Anglin, James Eklund, Bill Geraghty, Town Liaisons: Councilman Peter Reich, Councilman Ed Brown

Members Excused: Al Loreto

Meeting opened at 7:03 PM.

Minutes of August 3, 2009 were approved as revised.

Next meeting scheduled **October 5, 2009.**

Correspondence:

Letter from SI Town RE: Resolution regarding Town of SI and Silver Beach Association.

Letter from SI Town RE: Resolution authorizing the Supervisor to direct and expend the sum of \$200.00 from the Waterways Account to NY DEC for minor projects application fee for dredging of the entrance to Crab Creek.

Letter from Shelter Island Association RE: Mooring Policy.

Briefing by Town Liaison, Councilman Reich:

Councilman Reich reported that all the moorings have been inspected. As the code now reads, the Bay Constable must inspect all moorings for violations, so next year Mr. Reich indicated that he will schedule a time when they can go together to inspect the moorings. The WMAC reviewed and discussed this procedure.

Permits Applications:

Jane & Ralph Galasso: Address: 23 Winthrop Road

WMAC reviewed and discussed this application to replace, in-place, 21 fender and 39 interior dock piles. Replace 10-12 pieces of decking. Replace in-place existing boatlift with new 10,000 lb. lift.

WMAC recommends approval of the repairs part of this application, and approval of the boatlift if permitted with request for low profile, 5 in favor, 1 opposed (JN), 1 Absent. WMAC recommends denial of boatlift if not permitted, 6 in favor of denial, 0 approval.

Stanley Dahir: Address: 117 West Neck Road

WMAC reviewed and discussed this application for a Riparian Mooring in West Neck Bay.

WMAC recommends approval of this application with the condition that the boat remain landward of the buoy, 6 in favor, 0 opposed, 1 Absent.

Stanley Dahir: Address: 117 West Neck Road

WMAC reviewed and discussed this application to install 12-foot entrance ramp, 83 LF of 4-foot wide open grate catwalk; 4'x22' fixed ramp to bay bottom, one CCA pulley stake.

WMAC recommends approval of this application with the condition that no floating dock be attached, 5 in favor, 1 opposed (WG), 1 Absent.

Fred Buonocore: Address: 70 Gardiners Bay Drive

WMAC reviewed and discussed this application for a Riparian Mooring in Gardiners Bay ~ 200' NE of applicant's property.

WMAC recommends approval of this application, 5 in favor, 0 opposed, 1 Abstain (MA), 1 Absent.

Reverend Paul Wancura: Address: 3 Oak Tree Lane

WMAC reviewed and discussed this application to renew Town Permit #2934 to allow the construction of 285' of bulkhead in-place of existing seaward and former landward bulkheads.

Councilman Reich noted that this application is just a renewal and should not be in front of the WMAC.

Old Business:

Daniel Lord Landing Boarding Jetty:

Councilman Reich distributed the draft plan of the boarding jetty. The WMAC reviewed the plan and agreed to review the site and the plan carefully before drafting recommendation comments to be submitted to the Town Board.

Review Chapter 90:

The WMAC reviewed and discussed the suggestion of the Shelter Island Association to raise the mooring fees, which the SIA opined are rooted in a time now past. There was some discussion regarding lease of moorings versus license of moorings.

Councilman Reich reminded the WMAC that they were tasked 60 days ago to review the proposed resolution changing the term "rental" to "commercial".

Member Wein motion to table this discussion until the WMAC can request a ruling from the Town on whether it is leased or a license. Chairman Needham suggested they table it for tonight and asked for someone to second the motion.

The WMAC discussed how to determine the mooring costs to the Town and how it would be helpful to have this information.

Chairman Needham opined that they are addressing a problem that the WMAC has not been tasked with by the Town Board.

Councilman Reich stated that the Town Board has not tasked the WMAC to review Chapter 90, but tasked the WMAC to specifically review rental versus commercial moorings.

Chairman Needham stated that Camp Quinipet has requested 3 more moorings, and stated that the WMAC needs to decide whether to recommend approving or denying this request. He further stated that if the WMAC agrees to approve it, they have to figure out how to approve it, as it would be non-conforming. He further stated that the WMAC have been granted a sixty-day study period to review this issue.

Member Zinger opined that he agrees with the request from the SIA that the Town view that sixty-day study period as flexible and be able to extend that time period as necessary.

Member Wein stated that he believes that the Town Board has issued the WMAC a sixty day time period to review Chapter 90. Councilman Reich stated that the Town Board has tasked the WMAC to review Chapter 90 rental versus commercial moorings nomenclature. He stated that the WMAC has not discussed this within the sixty days.

Member Wein suggested that they ask the Town Board to give specific direction as to what they want the WMAC to review and discuss.

Councilman Reich stated that the WMAC made the statement that they were not happy with the current code regarding rental and commercial moorings, so the Town Board tasked them to specifically review rental versus commercial moorings, and that is what they asked for, nothing more.

Member Eklund suggested they make the definition that any mooring that is not private is considered commercial. He stated that there is no difference whether you rent a commercial mooring or not because you could rent it. **He requested clarification or redress of the grandfathering of Quinipet's moorings, opining that they should have been classified as rental moorings at the outset.**

The WMAC agreed that there are flaws in the entire code of Chapter 90, and Councilman Reich suggested they attack it one section at a time.

The WMAC reviewed and discussed how to proceed in addressing the request of the Camp. Councilman Reich noted that the Camp is already in nonconformity because they already have 8 private moorings.

Member Wein motion to request the Town determine whether moorings are permitted or leased, second by Member Geraghty 2 in favor, 4 opposed, 1 Absent.

Coecles Harbor:

Member Zinger reported that he and Butch went rock hunting and found nothing. He further reported that the water was choppy and unclear and they were unable to find a rock that was charted. He indicated that they will try again when the water is calm and clear.

Meeting Adjourned at 9:01 PM.

Respectfully Submitted,
Danielle LiCausi, Clerk to the WMAC