

From: **steven ross** <[steveross@snet.net](mailto:steveross@snet.net)>

Date: Wed, Oct 9, 2019 at 2:46 PM

Subject: Proposed Amendment to Section 4.3 Tidal Waters Protection

To: <[janecable@sbcglobal.net](mailto:janecable@sbcglobal.net)>

Cc: Bonnie Reemsnyder <[breemsnyder@oldlyme-ct.gov](mailto:breemsnyder@oldlyme-ct.gov)>, Mary Jo Nosal <[maryjonosal@gmail.com](mailto:maryjonosal@gmail.com)>, Chris Kerr <[chris@riessappraisal.com](mailto:chris@riessappraisal.com)>, Kim Barrows <[zoning@oldlyme-ct.gov](mailto:zoning@oldlyme-ct.gov)>, George Finley <[gcfinley@comcast.net](mailto:gcfinley@comcast.net)>, Jeffrey Meinke <[jeffreymeinke@gmail.com](mailto:jeffreymeinke@gmail.com)>, Mark Beatty <[mark.beatty@gmail.com](mailto:mark.beatty@gmail.com)>, Teri Lewis <[terilewis1@comcast.net](mailto:terilewis1@comcast.net)>, Richard Shriver <[rhsusa@gmail.com](mailto:rhsusa@gmail.com)>, Harry Plaut <[hsplautenvironmentalcompany@yahoo.com](mailto:hsplautenvironmentalcompany@yahoo.com)>, Mary Ellen Garbarino <[megarbarino@ccamail.com](mailto:megarbarino@ccamail.com)>, Robert Falaguerra <[rjfone@comcast.net](mailto:rjfone@comcast.net)>, Mike Mackey <[mmackey1997@att.net](mailto:mmackey1997@att.net)>, Bill Harris <[sshbh@sbcglobal.net](mailto:sshbh@sbcglobal.net)>, Tom Meyer <[meyertom@comcast.net](mailto:meyertom@comcast.net)>, John MacDonald <[johnmacdonald4949@gmail.com](mailto:johnmacdonald4949@gmail.com)>, Mike Magee <[mageecarp@sbcglobal.net](mailto:mageecarp@sbcglobal.net)>, Cate Hewitt <[cate.hewitt@ctexaminer.com](mailto:cate.hewitt@ctexaminer.com)>, Julia Werth <[julia.werth@ctexaminer.com](mailto:julia.werth@ctexaminer.com)>

Jane:

Why wasn't the proposed amendment to Section 4.3 sent as a referral to the Harbor Management Commission?

Most, if not all, of the wetlands and waterfront that the proposed amendment seeks to regulate is within the jurisdiction of the HMC.

Due to the referral to HMC being over-looked (not on your referral list), we request that no vote or action, other than discussion, of the amendment take place at your October 14 meeting. The HMC has its next regular meeting November 12 at which we can review and render a decision reflecting a decision to support or reject the amendment.

Failure to send the referral to the HMC could lead to legal challenges in that not all town commissions with jurisdiction were notified and sent the proposed amendment for comment.

I also respectfully request that you send the proposed amendment to all marine related businesses in Old Lyme. All the marinas would be significantly impacted by the proposed amendment and should be aware of the potential regulatory restrictions it would impose on their businesses.

There has been no distribution of information regarding the amendment to property owners who would also be affected, to my knowledge. Communication with the taxpayers for an amendment with the degree of regulation proposed, perhaps through press release, would provide for transparency and facilitate the ability to offer comments before any approval.

Sincerely,

Steven A Ross, Chairman

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