

October 2, 2018
Stony Creek Association
Dan Bullard, Chairman

Dan:

To facilitate the conversation at the Stony Creek Board meeting tonight (Oct 2, 2018) regarding the enforcement of Stony Creek Public Dock ordinances (an issue voiced by the Thimble Island Association) I have collected a few background documents that may bring a focus to the conversation. Attached are:

- The letter of August 1, 2018 from the Thimble Island Association (Lawrence Warner) to the Town of Branford RTM
- The Ordinance in the Town Code referencing the control of Tie-ups, Loading, and Un-Loading at Town Docks
- The Stony Creek Pier Facilities By-Laws enacted by the Board of Selectman
- Images of the Current Conditions at the Stony Creek Docks
- A few suggestions that might be discussed to help resolve the issues (my comments).

The Rules & Ordinances Committee of the RTM has been assigned this issue for discussion and possible action. The action that could be taken under their prevue would be enhancement of the enforceability of the Code and fines levied. I believe you are to be invited to this month's meeting to comment.

I believe the other solutions to the problem are beyond the control of the RTM and logically are actions that the SCA might take. I will attend the meeting tonight (as a District 2 Representative and a member of the Rules & Ordinances Committee).

Regards, Peter



Peter Hentschel, District 2 Representative

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TOWN CLERK'S OFFICE
BRANFORD, CONNECTICUT

Aug. 1, 2018

Dennis Flanigan Branford RTM Moderator
Branford Town Hall
1019 Main St
Branford ct, 06405

Dear Moderator Flanigan

Please place on RTM agenda an item for Review of towns dock ordinance and its execution as it pertains to public spaces, paying specific attention to amount of time allotted for any boat tied to dock. If appropriate make adjustments that will ensure fair usage by all residents. If you could also correct an oversight of which there is no right of appeal. This currently means the ordinance is unenforceable.


Lawrence L. Warner
Member of Board of Directors
Thimble Island Association

Code of the Town of Branford

Chapter 126: Boats and Boating

Article II: Tie-ups: Loading and Unloading [Adopted 11-9-1988]

§ 126-3 Rules and regulations.

The Board of Selectmen is authorized to adopt by majority vote such rules and regulations as it shall determine from time to time regarding the establishment of time limits for temporary tie-ups and for loading and unloading of boats at all Town-owned docks, piers, floats or other docking facilities.

§ 126-4 Enforcement.

The Police Department of the Town of Branford is hereby empowered to enforce such rules and regulations.

§ 126-5 Violations and penalties.

Any person who shall violate any rule or regulation established by the Board of Selectmen under the provisions of this article shall be fined no more than \$100 for each offense.

STONY CREEK TOWN PIER FACILITIES BY-LAWS

To provide for the maximum safety, availability, and usage of the public facilities at the town pier and floats at Stony Creek, the following by-laws are enacted by the Board of Selectmen pursuant to Vol. 17, pages 1153-1154 Special Laws, State of Connecticut. The appointed Dockmaster is empowered to enforce these by-laws.

Float No. 1 - Location: South Side of the main dock

South Face: Load and unloading.

The island ferry service is granted the use of this float face to provide scheduled service, subject to change under emergency conditions.

East Face: 2 hour tie-up/ferry as needed

West Face: Ferry Service Only

Float No. 2 - Location: North side of main dock.

North & West Faces: Load and unloading.

The sight-seeing boat or boats may operate from this face during their normal service period as permitted per section 126 of the Code of the Town of Branford; subject to change under emergency conditions.

East Face : 4-hour tie-up

South Face: Dinghys only; 4-hour tie-up by bow line only.

Float No. 3 and No.4 - Location: North side of fixed walkway.

All Faces: 4-hour tie-up

Main Dock - Location: West face.

Boats may tie to this face for 4-hour periods. Boats may tie-up overnight under emergency conditions.

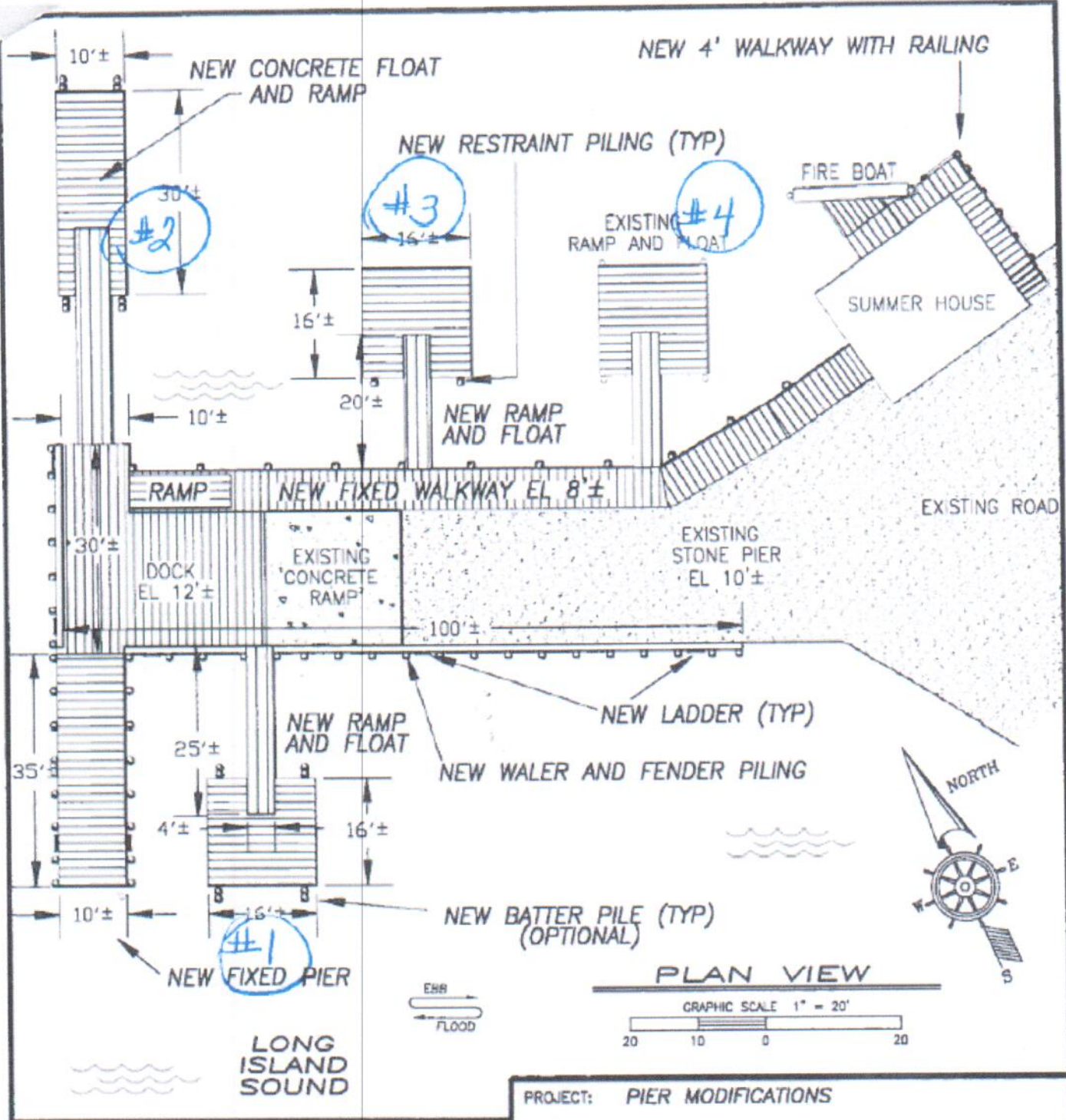
GENERAL RULES:

1. No boats are to remain tied to the Town Pier or floats overnight.
2. Fishing from the dock shall not interfere with public safety.
No casting is permitted.
Fisherman shall not interfere with the mooring of boats along the dock face. During periods of heavy public use, fishermen shall be bared from the dock at the discretion of the Dockmaster.
3. NO swimming is permitted from the dock or the floats.
4. The surfaces of the piers and floats shall be kept clear of obstructions.
5. No more than 5 persons shall be permitted on a float access ramp at one time.
6. Parking of motor vehicles on the Town Pier is prohibited.
7. All rules may be suspended by the Dockmaster if any emergency exists which causes the established rules to become unreasonable.
8. All physical defects in the facilities provided which could endanger the safety of the public shall be reported to the Branford Police Department immediately at 203-481-4241.

An emergency condition within the meaning of these rules is any condition where the safety of the public, or equipment, or property is in jeopardy in the judgment of the Dockmaster.

Per section 126-5 of the Code of the Town of Branford, any person who shall violate these by-laws may be subject to fines of no more than \$100.00 (one hundred dollars) for each offense.

Approved by the Board of Selectmen on October 2, 2014.



PROJECT: **PIER MODIFICATIONS**
 LOCATION: STONY CREEK MUNICIPAL DOCK, TOWN OF BRANFORD
 NEW HAVEN COUNTY, CONNECTICUT
 WATERWAY: LONG ISLAND SOUND
 DATE: MAY 5, 1999
 APPLICANT: TOWN OF BRANFORD

AGENT: SHEET 1 OF 3
DOCKO, INC.
 Keith B. Nelson, PE
 Mystic, CT 06355
 860 572 8939 FAX 860 572 7589

DWG 98-11-931.02dk
 stonycreek/stonycreek2

Sample of Existing Conditions – Stony Creek Public Docks



Typical ramp and float (#4)



Typical "restriction" markings



Typical Overnight Warning signs posted (one per float)

Comments:

- The General By-Laws of Facility Usage are not posted anywhere.
- The faces of each dock are marked, but not in a prominent way, and most markings are faded and unreadable.
- The "Overnight" postings high on the pilings are easy to miss.
- There is no notification of the possibility of Fines levied.

Suggestions – physical changes:

- Redo markings on each dock face with a broad yellow 10" stripe the length of the face with red lettered "limit postings"
- Add a posted sign at the top of each ramp (facing the ramp side) to include the list of By-Laws and the possibility of fines to be levied.

Additional Suggestions:

- Modify the Town Code to make the infraction of dock regulations enforceable (RTM)
- Provide the Dockmaster with 6 x 8 orange stickers with a printed warning that could be fixed to any boat after initial infraction.
- Provide the Dockmaster with appropriate printed Fine / Tickets that could be used to issue a ticket after the warning.

(by Peter Hentschel)