

TOWN OF FAIRFIELD
HARBOR MANAGEMENT COMMISSION
MEETING MINUTES OF MARCH 15, 2022

A Meeting of the Harbor Management Commission (HMC) of the Town of Fairfield was held on Tuesday, March 15, 2022 at 4:30 p.m. in the First Floor Conference Room of Town Hall, 611 Old Post Road, Fairfield, CT, and via teleconference.

MEMBERS PRESENT: Kim Taylor, Chairwoman, Jacob Herschler, Doug Metchick, Bill Perugini; Eric Sundman; Jeff Warren; and Don Hyman. **ABSENT:** Sam Cargill. **ALSO PRESENT:** Geoffrey Steadman, HMC Consultant; Jeff Engborg, Manager, Pequot Yacht Club (PYC); Bryan LeClerc, Harbor Master; Brittney Izbicki, U.S. Geological Survey (USGS); and Tim Minahan, Manager, Country Club of Fairfield.

CALL TO ORDER: The meeting was called to order at 4:35 p.m. by Chairwoman Taylor.

SALUTE TO THE FLAG

APPROVAL OF MINUTES: FEBRUARY 15, 2022: Jac Herschler *moved*, and Don Hyman *seconded* to approve the Draft Meeting Minutes of February 15, 2022 as presented: *Motion passed unanimously.*

CHAIRWOMAN'S REPORT: Chairwoman Taylor reported the following communications:

1. January 25, 2022 - COP Application to DEEP from the Country Club of Fairfield for repairs to sea wall;
2. February 22, 2022 - Pre-Submissions Consultation form and letter to Devin Santa with HMC's comments on the application for work on a platform and dock at 1143 – 1155 Sasco Hill Road;
3. March 3, 2022 - Meeting with USGS officials including Brittney Izbicki, and the Harbor Master to discuss the placement of water quality monitoring instrument buoys in Southport Harbor and Sasco Brook as part of a USGS 3-year water quality data collection program. (*Don Hyman's inquiries about public notification procedures and opportunities relative to installation of the buoys as well as other harbor projects are discussed in greater detail later during the meeting*); and
4. March 14, 2022 - Meeting with the Fairfield Town Engineering Department, CT Department of Energy and Environmental Protection (DEEP), and U.S. Army Corps of Engineers (ACOE) officials to discuss Perry Green seawall replacement and the planned federal dredging project at the harbor entrance. (*Discussed in greater detail during Sand Management*).

HARBOR MASTER REPORT: Mr. LeClerc: Harbor Master Bryan LeClerc reported that he has been busy processing the mooring renewal and wait list applications; there are 82 mooring locations exclusive of the 51 North Anchorage locations. There are currently six vacated locations, two of which will not be utilized because they encroach on the federal channel at the mouth of the harbor. He has received priority requests from two commercial fisherman and one riparian property owner; these are being reviewed. Links to Mr. Steadman's harbor presentations were also distributed to the waiting list and mooring permit holders. The Harbor Master will issue another email to provide notification once the USGS instrument buoy is in place; the link to the water monitoring data will also be included in the email. The Harbor Master has also performed an inspection of mooring tackle.

NEW APPLICATIONS: Country Club of Fairfield COP Application for repairs to sea wall: Chairwoman Taylor reported that the DEEP has approved this COP application. Mr. Steadman clarified that the Applicant was required to provide the HMC with a copy of the application and although DEEP had approved this prior to any comments by the HMC, Mr. Steadman noted that upon reviewing the same, he does not believe that the HMC would have expressed objections to these repairs. Upon inquiry by Chairwoman Taylor, Tim Minahan of the Country Club of Fairfield reported that the Club's application and proposed work is necessary from time to time to maintain the wall. Mr. Steadman noted that approval of the proposed work on the federal wall does not transfer to the Country Club any ownership rights to the federal wall. He will contact the DEEP to discuss coordination for future COP applications, including notification to the HMC.

OLD BUSINESS:

1. **US GEOLOGICAL SURVEY** – Plans for Water Quality Monitoring Instrument Buoy: Chairwoman Taylor invited Brittney Izbicki of the USGS to the meeting this evening to describe the project. Ms. Izbicki discussed USGS water monitoring efforts in the State, and provided a two-page handout which included pictures of the monitoring equipment. This project will be in place for a 2-year period starting in 2022. Water sampling will be conducted monthly, and the data will be available on-line. Commissioner Hyman inquired about opportunities for public outreach so that the community can stay informed as the project develops. Ms. Izbicki noted that she has been work to provide public outreach; information is available, including the link to the USGS website, newsletters and facebook post. The USGS hopes to have QR codes placed on the buoy which will be a direct link to the data. Following inquiry by Bryan LeClerc, Ms. Izbicki replied that she did not believe additional Town approvals were required, but will advise the Harbor Master if that is not the case. USGS logos will be visible on the equipment. The HMC thanked Ms. Izbicki for attending the meeting and providing the update on the project.

2. **LOWER WHARF PROJECT:** Mr. Steadman: Mr. Steadman reported that he is continuing to compile information the finance department needs to act on the request to re-purpose the CT Port Authority grant funds for the re-designed project. Mr. Steadman did speak with Mr. Clark from the DEEP who will be reviewing the application once submitted; it is not expected to be a controversial matter. Upon inquiry by the HMC, Mr. Steadman reported that due to time restrictions, permitting delays, the project is not likely to commence until next year. Mr. Steadman further reported that the HMC is still awaiting opinion from Town Counsel relative to the HMC responsibility for the area most recently acquired by the Town adjacent to the Lower Wharf.

3. **SAND MANAGEMENT PROJECT:** Mr. Steadman: Mr. Steadman reported that he has provided information to the DEEP representative Mr. Clark about the background of the sand management project. Mr. Clark raised the possibility of utilizing the dredged sand for beach nourishment which could potentially change the scope of the project. Mr. Steadman further reported that that ACOE's dredge Currituck which will do the dredging is not available until 2023.

4. **MOORING COMMITTEE:** Jac Herschler: Commissioner Herschler reported that the Harbor Master had covered most items discussed at the recent meeting of the Mooring Committee. Mr. Herschler noted that the Committee also had discussed whether it would be feasible to seek candidates for the Governor's appointment as Deputy Harbor Master. The HMC discussed this at length, noting that a Deputy Harbor Master would have the same authority as the Harbor Master and could perform the same functions as the Harbor Master, such as issuing mooring permits, in the absence of the Harbor Master. Chairwoman Taylor noted that CT Statutes permit the Governor's appointment of a Deputy Harbor Master, and the selection process would mirror that of the Harbor Master. Following considerable discussion, it was the consensus of the HMC that Mr. Steadman would reach out to the Governor's Office for guidance prior to Chairwoman Taylor appointing a Search Committee and establishing a job description. Mr. Steadman clarified that the term for the Deputy Harbor Master was three years from the date of appointment; this position does not run concurrently with that of the Harbor Master. This matter will be reviewed further.

5. **PLAN UPDATE COMMITTEE:** Doug Metchick reported that he had received some feedback from a teacher at Fairfield/Ludlowe High School. A team of two students were selected for the project to add narration to the HMC's harbor presentation. One student has advanced editing skills, the other has advanced photography skills. The teacher has the editing equipment available and they could complete the project by this summer. The HMC will continue to be apprised of the status. Chairwoman Taylor reported that in light of the recent Superior Court decision (Cohen vs. State of Connecticut DEEP currently under appeal) which diminishes the role of harbor management commissions and conflicts with established municipal harbor management practice, the HMC must decide how to reflect this in the Plan update. It was noted that the HMC may wish to meet with the Town legislators concerning this matter. The Appellate Court ruling is expected by August; it was the consensus of the HMC to proceed with the Plan update based on established harbor management practice shown to be in the public interest.

6. **STATUS AND SCOPE OF HMC'S RESPONSIBILITY FOR LOWER WHARF:** Commissioner Cargill was not available for status on this matter.

7. **HMC 2022-2023 BUDGET REQUEST:** Commissioner Eric Sundman noted that Mr. Cargill had advised him that the Board of Finance and Board of Selectman had both waived the need for presentation by the HMC in support of its budget request. Mr. Cargill had further advised him that he was awaiting response from the RTM relative to any presentation that they may require prior to voting on the HMC budget.

PUBLIC COMMENT: PAT CARROLL: Former Harbor Master Pat Carroll thanked the HMC for a very interesting and informative meeting. Mr. Carroll noted his appreciation for Commissioners Metchick's and Hyman's efforts to increase public awareness on the role of the HMC and the functions it performs.

ADJOURNMENT: There being no further business to come before the Commission, Jac Herschler *moved*, and Don Hyman *seconded* to adjourn at 5:34 p.m. *Motion passed unanimously.*

The audio recording can be found here: [Harbor Management Commission - 3/15/22 - YouTube](#)

Respectfully submitted,
Betty Gabriel