

TOWN OF FAIRFIELD
HARBOR MANAGEMENT COMMISSION
MEETING MINUTES OF SEPTEMBER 20, 2022

A Meeting of the Harbor Management Commission (HMC) of the Town of Fairfield was held on Tuesday, September 20, 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; Eric Sundman; Jeff Warren, Sam Cargill and Don Hyman. **ABSENT:** Doug Metchick and Bill Perugini **ALSO PRESENT:** Geoffrey Steadman, HMC Consultant; Jeff Engborg, Pequot Yacht Club (PYC) Manager; Bryan LeClerc, Harbor Master, William Hurley, Town Engineering Manager.

CALL TO ORDER: The meeting was called to order at 4:30 p.m. by Chairwoman Taylor.

SALUTE TO THE FLAG

APPROVAL OF MINUTES: JULY 19, 2022. Don Hyman *moved*, and Jac Herschler *seconded* to approve the draft July 19, 2020 meeting minutes as presented. *Motion passed unanimously.*

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

1. August 1, 2022 meeting with Milan Bull of CT Audubon and Mr. Steadman to review information to be provided to the U.S. Army Corps of Engineers (ACOE) concerning piping plover habitat potentially affected by the planned federal dredging project.
2. August 7, 2022 email exchange with Jeremy Goldstein who inquired about process for dredging at his dock at 350 Willow Street and who was informed that such dredging would require a permit from CT DEEP.
3. August 22, 2022 email exchange with Britney Izbicki, Supervisory Hydrologic Technician at USGS, about accessing the water quality data being gathered by the USGS instruments in Southport Harbor. Data is available at <https://www.usgs.gov/centers/new-england-water-science-center/science/embayment-monitoring-support-nutrient-management>
4. August 24, 2022 meeting with Joe Salvatore of the CT Port Authority (CPA), Commissioner Metchick, and Mr. Steadman to discuss re-purposing the SHIPP grant previously awarded to the Town of Fairfield for dredging in and around the boat launching ramp in Southport Harbor.
5. September 1 and 4 email exchange with RACE requesting and sending the HMC signature page of the pre-application consultation form previously considered by the HMC regarding the proposed dock at 1143-1155 Sasco Hill Road.

HARBOR MASTER REPORT: Bryan LeClerc: Harbor Master LeClerc reported that he visits the harbor daily and has significant interaction with the public including swimmers, PYC employees, kayakers, and paddleboarders. A new restricted speed sign has been installed. The J109 Regatta is scheduled for October 11th. The speed buoys will be inspected for possible re-painting. The required daily catch log was received from the commercial fisherman.

SPECIAL REPORT – John Short, Chair of the Fairfield Shellfish Commission: Chairwoman Taylor reported that Mr. Short was unable to attend the meeting this evening; his attendance will be rescheduled to hear his report on the Fairfield shellfish program. It was noted that the State of CT recently completed a “Shellfish Restoration Plan” and that Fairfield is included prominently.

NEW APPLICATIONS: No new applications.

OLD BUSINESS:

LOWER WHARF PROJECT: Mr. Steadman: Mr. Steadman reported on the HMC’s Lower Wharf Improvement Project, including the history of the Town’s acquisition of the Lower Wharf, the HMC’s management authority, and the history of planned improvements, including the permitting history and the difficulty of implementing the proposed dredging project. The DEEP permit for the planned improvements has now expired. Since it has been determined that the HMC is unable to re-purpose the CPA grant funds originally provided for dredging purposes, the HMC will now seek a new DEEP approval, now anticipated to be a Certificate of Permission (COP), for the repair of the Lower Wharf wall and replacement of the Lower Wharf piers, and may subsequently apply for a new grant from the CPA to help cover that work. Chairwoman Taylor presented a cost estimate from RACE for the revised scope of services to obtain the new approval. Following inquiry by Commissioner Hyman, Mr. Steadman reported that he is not aware of the source of sediment contamination that affected the previously proposed Lower Wharf dredging project. Engineering Manager Hurley advised the HMC that dredge material sampling was recently done at Perry’s Green and he is currently unaware of any negative results. Chairwoman Taylor inquired whether the HMC would be in favor of utilizing the funds in the mooring account for the required 20% cost-share for a CPA grant that would help cover the now-planned Lower Wharf improvements (seawall repair and replacement of the piers). It was noted that the revenue in the mooring account is, in a large part, generated by boaters who are not the primary users of the Lower Wharf. The HMC discussed various funding options as well as anticipated costs relative to other needed harbor improvement projects and financial obligations (e.g., mooring tackle maintenance and replacement; sand management). Following considerable discussion, it was the consensus of the HMC to continue to clearly separate the costs, including potential Town cost-sharing requirements, for the Lower Wharf improvement project and the ACOE dredging and sand management project. Commissioner Herschler *moved*, and Commissioner Hyman *seconded* to approve an expenditure up to \$12,000.00 for the purpose of pursuing a new DEEP approval for the Lower Wharf improvements as set forth in RACE’s proposal of October 2021. *Motion passed unanimously.*

SAND MANAGEMENT PROJECT: Mr. Steadman: Mr. Steadman provided a brief status report concerning the ACOE dredging project, including ongoing work by the HMC to provide information relative to the piping plover habitat. Mr. Steadman noted that DEEP is requiring that consideration be given to using dredged material for beach nourishment. ACOE plans now call for the sandy dredged material to be used to improve nearshore oyster habitat and this plan is supported by the CT Bureau of Aquaculture. The ACOE is completing its dredging plans for submittal to DEEP for approval; ownership of the sand spit encroaching into the federal channel is to be determined by the ACOE. The HMC continues to assist the ACOE.

MOORING COMMITTEE: Mr. Herschler: Commissioner Herschler advised the HMC that the Mooring Committee had met on August 9th and September 13th. The Committee received an update on the search for a Deputy Harbor Master, noting that a public announcement for this position will be prepared.

DEPUTY HARBOR MASTER SEARCH: Mr. Perugini: The document announcing the search for a Deputy Harbor Master is being finalized for distribution and posting on the Town website.

LOWER WHARF MEMORIAL BENCHES: Mr. Cargill & Mr. Sundman: Commissioner Sundman advised the HMC that he has been in communication with the Town's Marina Manager as the Parks and Recreation Department has a specific memorial bench program. The property deed calls for the HMC to have jurisdiction over the Lower Wharf and there are deed restrictions concerning maintenance of the property as undeveloped public space and the number of benches allowed here. The HMC has not received a response from the Town Attorney relative to certain management questions posed by the HMC. Commissioners Cargill and Sundman will prepare a summary list of the current issues at this location (e.g., individuals jumping off the piers, impacts on neighbors, swimming in the channel, dogs being off-leash, safety issues, liability questions, signage, launching of kayaks/paddle boards, and the required installation of stairs to the Town-acquired property adjacent to and south of the Lower Wharf).

ADJOURNMENT: There being no further business to come before the Commission, Commissioner Hyman *moved*, and Commissioner Herschler *seconded* to adjourn at 6:08 p.m. *Motion passed unanimously.*

Respectfully submitted,
Betty Gabriel