

TOWN OF FAIRFIELD
HARBOR MANAGEMENT COMMISSION
MEETING MINUTES OF SEPTEMBER 19, 2023

A Meeting of the Harbor Management Commission (HMC) of the Town of Fairfield was held on Tuesday, September 19, 2023 at 4:30 p.m. in the First Floor Conference Room of Sullivan Independence Hall, 611 Old Post Road, Fairfield, CT, and via teleconference.

MEMBERS PRESENT: Kim Taylor, Chairwoman; Jacob Herschler; Doug Metchick; Bill Perugini; Don Hyman; and Dave Henry. **ABSENT:** Eric Sundman, Jeff Warren, and George Harris. **ALSO PRESENT:** Geoff Steadman, HMC Consultant; Bryan LeClerc, Harbor Master; John Dean, Deputy Harbor Master; Devin Santa, RACE Coastal Engineering; and Timothy Minahan, General Manager, Country Club of Fairfield.

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 18, 2023 & August 15, 2023: Jac Herschler *moved* and Doug Metchick *seconded* to approve the draft July 18, 2023 meeting minutes as presented. *Motion passed unanimously.* Doug Metchick *moved* and Jac Herschler *seconded* to approve the draft August 15, 2023 meeting minutes as presented. *Motion passed unanimously.*

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

1. August 18, 2023 copied on letter from Brian Thompson of DEEP to Attorney Chris Russo sending the updated condition 5 of the permit granted to 1143 Sasco Hill Road which modified the language of the original permit to incorporate the language recommended by the HMC at its July meeting.
2. September 6, 2023 meeting with Jeff Warren and Geoff Steadman via webex with Army Corps of Engineers (ACOE) personnel working on dredging project--Coral Silagto, ACOE project manager; Julie Byars, attorney with the real estate division; and Nicole Dapic, real estate division--to discuss equipment access to the area and need for temporary construction access easements from the Town and Country Club of Fairfield.
3. September 12, 2023 email from Town Clerk Betsy Browne that a DEEP permit had been filed with the land records for 701 Harbor Road (Perry Green).

HARBOR MASTER REPORT: Harbor Master Bryan LeClerc reported that it has been a very busy month checking mooring lines and issuing safety reminders to fishermen and kayakers. Assistance was provided to a small stranded powerboat as well as a sinking powerboat that was spotted by Pequot Yacht Club (PYC) employees before it completely sank. The Coast Guard is addressing issues with buoy markers 7 and 13. Other matters addressed last month included issues with a Ye Yacht Yard inflatable vessel; PYC vessel in the north anchorage mooring area that had been taking on water and a Community Sailing vessel that had apparently been hit and damaged.

NEW APPLICATIONS: No new applications

OLD BUSINESS:

- 1. Lower Wharf Repairs, Mr. Steadman:** Devin Santa of RACE Coastal Engineers advised the HMC that he has been in communication with DEEP regarding the feasibility of the HMC obtaining a General Permit to reconstruct the northern section of the pier. Despite DEEP’s opinion that such a permit would be appropriate for the intended work, Mr. Santa was concerned because a general permit is specifically for structures that had been in a “serviceable condition” or “damaged within the last year”. Mr. Santa noted that the northern pier does not meet these criteria. Chairwoman Taylor agreed that it did not seem wise to seek a general permit if there are questions concerning compliance with DEEP requirements. Mr. Santa indicated that the HMC should submit another COP application for a five year approval, which could be extended twice – each for a one year period. Following discussion, Doug Metchick *moved* and Jac Herschler *seconded* that the HMC request that RACE apply for a COP for rebuilding the Lower Wharf northern pier section with the understanding that the cost will be approximately \$2,500.00. *Motion passed unanimously*. Commissioner Herschler noted based on his research, including review of aerial photographs from the 1930s, that the Lower Wharf pier structures do not appear to have been in place for as long as previously thought. Mr. Steadman reported that he has been in communication with George Russell of the Sasquanaug Association who was unable to attend the meeting this evening due to a scheduling conflict. Mr. Steadman also reported that information is required by the Historic District Commission regarding the removal of the piers’ damaged decking as required by the Town Risk manager for public safety purposes; Mr. Steadman will provide that information.
- 2. Lower Wharf SHIPP Grant Refund: Mr. Steadman:** Mr. Steadman has been in communication with Acting Executive Director Hammond of the CT Port Authority; the review and submittal of a report is being finalized for the Town Finance Department.
- 3. Lower Wharf Risk Assessment and Rules, Mr. Hyman:** Commissioner Hyman reported that there have not been any new developments since the August meeting with town officials other than the installation of “no swimming” signs by DPW. Due to scheduling conflicts, Commissioner Hyman has not been able to coordinate a subsequent meeting with Town Risk Manager Peter Ritchie, DPW Supervisor Carlos Monteiro, and Park Superintendent Doug Novak. Commissioner Hyman noted that he anticipates that he will have a draft proposal for the language for the new Lower Wharf signs, including proposed restrictions, within the next two weeks. Following discussion, it was the consensus of the HMC that the language will be reviewed and voted on at the October meeting. Commissioners Hyman and Harris will resume discussions regarding the Town’s designation of the most recently acquired beach area south of and adjoining the Lower Wharf when Commissioner Harris returns from his travels.
- 4. Sand Management, Mr. Steadman:** Mr. Steadman reported that the ACOE is completing the required Environmental Assessment for the planned dredging project. The dredged sand is to be dispersed offshore to improve shellfish habitat. A survey provided by the Town’s Engineering Department showed there is no need for additional sand on Fairfield beaches. The ACOE is continuing to work to clarify property ownership in the area to be dredged adjoining the federal jetty. Temporary construction access easements from the Country Club of Fairfield and Town of Fairfield will be necessary. The goal is to have this planning work completed and obtain DEEP approval so the work can be conducted between October 2024 and January 2025.

- 5. Mooring Committee, Mr. Warren:** Chairwoman Taylor in Commissioner Warren's absence reported that the Committee had not met since its August meeting.

NEW BUSINESS:

- 1. Potential development of 2190 Post Road, formerly the Exide property:** Mr. Steadman has been in contact with the DEEP as well as Town Planning and Zoning (TPZ) commissioners concerning the conceptual development plan for the property and the status of the existing bulkhead along the Mill River. The DEEP representative determined that the bulkhead is not currently permitted. Conservation Director Timothy Bishop has expressed no objection to the existing structure. There has not been anything further submitted by the developer beyond the conceptual plans. The current owner of the property has indicated to DEEP that the owner does not want to remove the bulkhead; further information is needed to understand the "pros and cons" for the bulkhead to remain before the HMC can opine on that. Once the developer submits formal plans, the TPZ is required to forward them to the HMC for review and comment. The HMC will review and comment on any development proposals submitted relative to this property including the adequacy of proposed public access space.
- 2. HMC Response to the Draft Fairfield Plan of Conservation and Development (POCD):** Mr. Steadman noted that there is still time for the HMC to review the draft plan and respond to the TPZ Commission; it was noted that the Harbor Management Plan should be referenced, as well as the role of the HMC in reviewing proposals that impact the harbor. Mr. Steadman will draft comments for the HMC to review at the October meeting.
- 3. Coastal Site Plan Reviews & Perry's Green:** Following inquiry by Mr. Steadman, Devin Santa reported that a coastal site plan review by the Town Planning and Zoning Commission will be required for the Lower Wharf project. It was also noted that the Harbor Master and PYC will need to be notified when work commences at Perry's Green so that moorings can be removed.

ADJOURNMENT: There being no further business to come before the Commission, Jac Herschler *moved* and Doug Metchick *seconded* to adjourn at 5:42 p.m. *Motion passed unanimously.*

The audio recording can be found here: [09/19/23 Harbor Management Commission - YouTube](#)

Respectfully submitted,
Betty Gabriel