

TOWN OF FAIRFIELD
HARBOR MANAGEMENT COMMISSION
MEETING MINUTES OF NOVEMBER 21, 2023

A Meeting of the Harbor Management Commission (HMC) of the Town of Fairfield was held on Tuesday, November 21, 2023 at 4:30 p.m. in the First Floor Conference Room of Sullivan Independence Hall, 725 Old Post Road, Fairfield, CT, and via teleconference.

MEMBERS PRESENT: Kim Taylor, Chairwoman; Jacob Herschler; Doug Metchick; Bill Perugini; Don Hyman; George Harris; Jeff Warren; and Dave Henry. **ABSENT:** Eric Sundman. **ALSO PRESENT:** Geoff Steadman, HMC Consultant; Bryan LeClerc, Harbor Master; John Dean, Deputy Harbor Master, and Jeff Engborg, Pequot Yacht Club (PYC) 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: October 17, 2023 and November 9, 2023 Special Meeting Minutes: Don Hyman *moved* and Jeff Warren *seconded* to approve the draft October 17, 2023 meeting minutes as revised to correct the discussion on the proposed budget and to reflect Jac Herschler's absence. *Motion passed unanimously.* Bill Perugini *moved* and Jeff Warren *seconded* to approve the draft November 9, 2023 Special Meeting Minutes as presented. *Motion passed unanimously.*

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

1. October 29, 2023 e-mail from Amy Barrett, CT Audubon Society, regarding Penfield Light osprey nest and whether HMC has any information regarding recent removal of nest. *Chairwoman Taylor noted that the HMC does not have any jurisdiction over the Penfield Lighthouse or osprey nest and has no information regarding removal of nest.*
2. November 6, 2023 e-mail from Town Clerk Betsy Browne with the annual FOIA letter. *Chairwoman Taylor encouraged all Commissioners to become familiar with the compliance requirements noted therein, and further reported that if another workshop is scheduled on this subject in the future that it is worthwhile to attend, and that the Town Clerk's Office is an excellent resource should questions arise in the future.*
3. November 11, 2023 copied on email from John Pinto to Army Corps of Engineers asking about the role of harbor management commissions in the ACOE Sec. 408 regulatory process required for proposals that would affect federal navigation projects. *Chairwoman Taylor noted that John Pinto is President of the Connecticut Harbor Management Association.*
4. November 16, 2023 letter and photo sheet sent to CT Siting Council from Chairwoman Taylor transmitting statement of HMC interests and responsibilities for review of proposal by United Illuminating Company (UI) for relocation of electric transmission line. *Chairwoman Taylor noted that HMC will be reviewing aspects of the proposed project affecting Sasco Brook, the Mill River, the former Exide property, and the Southport Historic District.*

HARBOR MASTER REPORT: Harbor Master Bryan LeClerc reported that one vessel required assistance this past month, and another vessel had been relocated. Town DPW employees removed a tree trunk from the harbor. Harbor Master LeClerc reported that he had been contacted by a representative of the developer for the former Exide property for his input – he advised that the developer should contact the HMC directly. Harbor Master LeClerc and Deputy Harbor Master John Dean attended a training session for the Online Mooring software. Notices will be sent at the end of the year to all mooring permit holders advising them it is time to renew their permits for the 2024 boating season. Among the Spring events the Harbor Master is considering organizing is a gathering of Harbor Masters from throughout the state. Reflective stickers are available for kayaks and similar recreational watercraft. In response to an inquiry the Harbor Master had received, the HMC discussed whether a vessel being utilized for fishing charters would give the owner priority mooring rights as a “commercial fisherman.” DEEP has been contacted for an opinion on the matter. Harbor Master LeClerc was contacted by a resident requesting permission to place a Christmas tree on a float in the harbor; there are many issues regarding this proposal, including, but not limited to, issues concerning tackle ownership, mooring permit requirements, concern that a light could be mistaken as a navigation aid, and placement of a floating structure in a federal navigation project. It was the consensus of the HMC not to support this request.

Chairwoman Taylor noted the passing of former Harbor Management Commissioner Mark Foster and reported that Commissioner Foster was a valuable member of the HMC. He served on the HMC for 8 years and served as Vice Chairman and on the Mooring and Plan Update committees. Commissioner Foster’s input on matters affecting the harbor was greatly respected. A framed picture of the Harbor will be given to his family by the HMC.

NEW APPLICATIONS: No new applications

OLD BUSINESS:

- 1. Nominating Committee, Doug Metchick and Don Hyman:** Doug Metchick reported that he and Mr. Hyman had spent considerable time on this matter to identify individuals who could be potential candidates for appointment to the HMC by the First Selectman’s Office. There will be three openings on the Commission next month. It was noted that any individual who is interested in being on the HMC can submit an application to the First Selectman’s Office; there is a link on the Town website for this purpose. Commissioner Herschler commended the Committee’s significant efforts in this matter. Commissioner Metchick noted that the Committee has recommended the following slate of 2024 Officers: Don Hyman, Chairman; George Harris, Vice Chairman; Bill Perugini, Secretary. Doug Metchick *moved* and Jac Herschler *seconded* to approve the slate of Officers as recommended. *Motion passed unanimously.* The HMC understands that this was an informal vote on the recommendation and that it will need a formal vote on the 2024 Slate of Officers after the new administration is in place and appointments are made and voted on by the Board of Selectmen and RTM.

2. **Lower Wharf Repairs, Mr. Steadman:** Chairwoman Taylor noted that she has been in communication with RACE which is working on a proposal for the appropriate DEEP approval needed to repair the northern pier. Mr. Steadman provided for Chairwoman Taylor's signature a draft Certificate of Appropriateness form concerning the previous removal of pier structures for public safety purposes.
3. **Lower Wharf SHIPP Grant Refund: Mr. Steadman:** Mr. Steadman discussed the matter today with Acting Executive Director Hammond of the CT Port Authority who is aware that the HMC is working to tabulate expenses and the refund amount. Mr. Steadman reported that it is possible that the CT Port Authority may be combined with the CT Airport Authority; it is hoped that the SHIPP Grant program will continue.
4. **Lower Wharf Risk Assessment and Rules, Mr. Hyman:** Commissioner Hyman reported that he had submitted the revised draft to Risk Manager Peter Ritchie and is awaiting a response. Mr. Harris had obtained three quotes for construction of the sign. A Certificate of Appropriateness may be required by the HDC, and the Sasquanaug Group will also need to review the proposed sign. Following considerable discussion, it was the consensus of the HMC that it will review and vote on the revised draft at its December meeting; it is anticipated that Mr. Ritchie will have provided his comments by then.
5. **Sand Management, Mr. Steadman:** Mr. Steadman reported that the ACOE Project Manager is going to conduct a site visit after Thanksgiving. The ACOE has obtained various historical documents for reviewing site ownership conditions affecting the planned ACOE dredging project and the need for temporary construction access easements to the site of the dredging work. It was noted that the Fairfield Beach Association recently held its annual meeting; dredging of Pine Creek was discussed. Mr. Steadman had provided an informative presentation at the annual meeting; Commissioner Perugini reported that the presentation by Mr. Steadman was very informative and well received and that Mr. Steadman had provided much information to the Fairfield Beach Association.
6. **Mooring Committee, Mr. Warren:** Commissioner Warren reported that the Mooring Committee has not met since the last meeting; nothing new to report at this time.
7. **HMC Response to the Draft Plan of Conservation and Development (POCD):** The HMC will submit a preliminary letter to the Town Planning and Zoning Commission expressing its intention to provide a formal document outlining its recommendations. The HMC agreed that the Harbor Management Plan should be formally referenced in the POCD Update. Don Hyman *moved* and Bill Perugini *seconded* to have Geoff Steadman assist with preparation of a letter to the TPZ advising of its intention to submit a formal recommendation that the Harbor Management Plan be properly referenced in the POCD, and that the POCD should reference the roles and authority of the HMC, including the role and authority to review plans/proposals that come before the TPZ and may impact Southport Harbor. *Motion passed unanimously.*

NEW BUSINESS: *No new business noted.*

PUBLIC COMMENT:

It was noted that the monopoles proposed by the United Illuminating Company through Southport and Fairfield will tower over the tree line and therefore impact the Historic District and visual quality in the harbor area. In addition to the Town, other groups and organizations have filed for intervenor status in this matter now being considered by the CT Siting Council.

ADJOURNMENT: There being no further business to come before the Commission, Bill Perugini *moved* and Jeff Warren *seconded* to adjourn at 6:30 p.m. *Motion passed unanimously.*

The audio recording can be found here: [11/21/23 Harbor Management Commission - YouTube](#)

Respectfully submitted,
Betty Gabriel