

TOWN OF FAIRFIELD
HARBOR MANAGEMENT COMMISSION
MEETING MINUTES OF APRIL 16, 2024

A Meeting of the Harbor Management Commission (HMC) of the Town of Fairfield was held on Tuesday, April 16, 2024 at 4:30 p.m. in the First Floor Conference Room, of the John J. Sullivan Independence Hall, 725 Old Post Road, Fairfield, CT, and via teleconference.

MEMBERS PRESENT: Don Hyman; George Harris; Jeff Warren; Christopher Smith; Michael Baisley; and Belinda J. Shepard. **ABSENT:** Doug Metchick; Bill Perugini and Dave Henry **ALSO PRESENT:** Geoff Steadman, HMC Consultant; Bryan LeClerc, Harbor Master; John Dean, Deputy Harbor Master; Jeffrey Engborg, Manager, Pequot Yacht Club (PYC); former HMC Chairwoman Kim Taylor; and former HMC member James Bradley.

CALL TO ORDER: The meeting was called to order at 4:30 p.m. by Chairman Don Hyman.

SALUTE TO THE FLAG

APPROVAL OF MINUTES: Meeting minutes of March 19, 2024: George Harris *moved* and Jeff Warren *seconded* to approve the draft meeting minutes of March 19, 2024. *Motion passed unanimously.*

CHAIRMAN'S REPORT: Chairman Hyman reported the following communications:

1. Communication March 22 with Virginia Cargill, one of original donors of funds for Town purchase of Lower Wharf, regarding public safety/risk management sign which she supports.
2. Communication March 23 with First Selectman's staff regarding publicity about Perry Green bulkhead construction interruptions and Southport Harbor dredging plan status to be reported in the First Selectman's newsletter.
3. Conversation March 29 with State Sen. Tony Hwang regarding state funding support for Lower Wharf pier and bulkhead replacement and need for coordination with Geoff Steadman regarding conversation with the Ct Port Authority.
4. April 1 ACOE pre-submission letter and DEEP pre-submission consultation form regarding Southport Harbor dredging plan sent to ACOE and town of Fairfield officials.
5. April 2 communication with Sasquanaug Association (Laura Lawlor) and Southport Conservancy (Pam Toner) regarding status of Lower Wharf public safety/risk management sign placement; next steps with RTM and Historic District Commission.
6. April 5 communication with Town Attorney Philip Pires regarding his recommendation to use the word "regulation" in the Lower Wharf public safety/risk management sign.
7. Lower Wharf Subcommittee meeting of April 9 outcomes.
8. April 8 communication with RTM Moderator Marcy Spolar regarding Chairman's requested HMC budget presentation to the RTM on the evening of April 8.

9. April 10 communication with Lower Wharf neighbor Jeremy Frost regarding planned public safety/risk management sign; his acceptance of the need for a sign and question about perhaps using a wood shingled variation.
10. Email of March 26 from Michael Nishball opposing replacement of Lower Wharf pier.

HARBOR MASTER REPORT: Harbor Master Bryan LeClerc reported vessels have begun to take up their mooring locations for the upcoming boating season without incident. The Perry's Green moorings are being relocated due to the planned reconstruction of the Perry's Green bulkhead. Harbor Master LeClerc noted that he has declared the matter an "Emergency," in order to implement the restationing of the vessels away from the bulkhead. The Blessing of the Fleet and Southport Street Parade is scheduled for June 8, 2024, with the parade beginning at 11:00 am, and the Blessing of the Fleet to begin at noon. This date is selected in accordance with the tides. There was a DEEP-sponsored Harbor Master training session recently; it was very informative and well-attended. Harbor Master LeClerc had provided the Budget Director an estimate for the purchase of a boat for use by the Harbor Master as the currently used vessel is not always suitable for the functions required. The HMC may review this potential purchase when considering future budget requests.

NEW APPLICATIONS: No new applications.

The items listed on tonight's meeting Agenda was taken out of order to address New Business first

NEW BUSINESS:

1. Harbor Master LeClerc's presentation on mooring and harbor regulations in Southport Harbor: Harbor Master LeClerc provided the HMC with an informative presentation on the various rules and regulations applicable to Southport Harbor. It was noted that there are three sources for this: CT General Statutes; Town Code, and the official Mooring Rules and Procedures most recently amended by the HMC in May 2021. Mr. Steadman noted that the Rules and Procedures were first developed by the HMC more than 30 years ago to help resolve the significant regulatory issues affecting management of the harbor at the time and ensuring compliance with state and federal regulations. Mr. Steadman noted the significant efforts by the former members of the HMC, including Mr. Bradley, to develop and implement the same along with the Harbor Management Plan. Harbor Master LeClerc reported that there have been discussions for improved safety measures including possible stationing of a fire department rescue vessel year-round at Pequot Yacht Club. The Harbor Master also suggested that for increased security purposes consideration may be given to installation of a security camera. It was noted that the HMC had elected not to pursue such installation when suggested last year, as these security measures were considered a function of the Police Department. Don Hyman will review the minutes from the discussion last year.

2. Harry Frostick mooring permit renewal – Request by family of Harry Frostick, deceased, for the transfer of the mooring permit to his surviving spouse, Elizabeth Frostick. Harbor Master LeClerc advised the HMC that Harry Frostick had been in the process of renewing his FY24 mooring permit but had recently passed away. The Harbor Master was approached by Mr. Frostick’s family now requesting that the mooring permit be transferred to his spouse, Elizabeth Frostick. Mrs. Frostick is in the process of obtaining the necessary documentation evidencing the transfer of the vessel and insurance into her name. Following discussion, George Harris Harris *moved* and Jeff Warren *seconded* to approve the request for the transfer of the mooring permit to the surviving spouse, with the normal documentation requirements. *Motion passed unanimously.*

OLD BUSINESS:

1. **Lower Wharf Repairs, Mr. Steadman:** Mr. Steadman reported that communications are on-going with the TP&Z Department as to whether the proposed Lower Wharf project will require Coastal Site Plan Review (CSPR) by TP&Z.
2. **Lower Wharf and A Memorial Proclamation Tribute and Other Measures to Memorialize Pat Carroll’s Legacy And Contributions to Managing Southport Harbor, Kim Taylor, Geoffrey Steadman:** Mr. Steadman reported that former Chairwoman Kim Taylor and he have prepared a draft Memorial Resolution honoring former HMC commissioner and Harbor Master Patrick L. Carroll, Jr.; this will be framed and presented to the Carroll family. Mr. Steadman noted the significant efforts of Captain Carroll, and read a letter that Captain Carroll had received from the ACOE just before his passing in February. That letter can be read [here](#). Mr. Steadman further reported that the First Selectman’s Office is establishing a committee to identify an appropriate location in Town for an appropriate and lasting memorial dedication in Capt. Carroll’s name in recognition of his tireless community efforts, dedication, and service to the Town of Fairfield, Nation and State of Connecticut. Following discussion, George Harris *moved* and Jeff Warren *seconded* to approve the signing of the Resolution and that the HMC adopt the Memorial Resolution Tribute to Patrick Carroll. *Motion passed unanimously.* The Memorial Resolution will be placed on the HMC website, and can be read [here](#).
3. **Lower Wharf SHIPP Grant Refund: Mr. Steadman:** Mr. Steadman reported communications are on-going with the CT Port Authority regarding the amount of previously awarded dredging funds that need to be returned. The new application to the Port Authority for construction funds for the Lower Wharf project is due July 1st.
4. **Sand Management, Kim Taylor, Mr. Steadman:** Kim Taylor and Mr. Steadman reported on this matter. The ACOE will proceed under the Federal Doctrine of Navigational Servitude for access to the dredging site. The ACOE also is expected to require a temporary construction access easement to enable equipment to pass through Sasco Beach; ownership issues affecting the easement currently are being reviewed by the Town Attorney. The resolution of these issues and approval of the final ACOE dredging plan will be reflected in the updated Harbor Management Plan.

5. **POCD Update: Mr. Steadman:** Mr. Steadman reported that the Town TP&Z department anticipates resuming this matter at the end of April; it was recommended that a letter from the HMC be submitted. The HMC agreed that Mr. Steadman will draft a letter outlining the HMC's request for the POCD to include a proper reference in support of the Harbor Management Plan.
6. **Perry Mill Green Bulkhead Replacement Update: Mr. Steadman:** This matter was discussed under the Harbor Master's Report above.
7. **Mooring Committee, Mr. Warren:** Mr. Warren reported that there is nothing new to discuss at this time; mooring-related matters are moving along smoothly at Southport Harbor.

PUBLIC COMMENT:

LOWER WHARF SIGN – GEOFFREY STEADMAN: HMC Consultant Geoffrey Steadman asked to speak and reiterated his comments made at the April 9, 2024 [Lower Wharf Committee Meeting](#), reminding the HMC that there are two Town-owned parcels of land, each with a separate deed, that must be considered. It is important that all involved parties, including the Historic District Commission and the individuals now being requested to approve the HMC's proposed signage at the Lower Wharf property, are aware of all relevant considerations, including the deed requirements for the two properties. The parties should be informed that according to its deed, the parcel adjoining the Lower Wharf is known as 1101 Harbor Road and a sign is specifically required to be placed on this parcel that was acquired by the Town in 2019. There is a separate deed for the Lower Wharf property and that deed specifies this parcel is to be known as the "Lower Wharf" and does not call for the placement of a sign. The Lower Wharf property was acquired by the Town in 1999. Mr. Steadman further stated that the deed for the Lower Wharf property prohibits structures on the property, and that the Town Attorney has opined that the proposed sign is likely considered a structure. That is why the Town Attorney has opined that the HMC's proposed sign cannot be placed on the Lower Wharf unless the HMC gets permission from all of the parties of standing noted in the Lower Wharf deed.

ADJOURNMENT: There being no further business to come before the Commission, Jeff Warren *moved* and George Harris *seconded* to adjourn at 6:04 p.m. *Motion passed unanimously.*

The audio recording can be found here: *Meeting not recorded*

Respectfully submitted,
Betty Gabriel