

TOWN OF FAIRFIELD
HARBOR MANAGEMENT COMMISSION
MEETING MINUTES OF AUGUST 15, 2023

A Meeting of the Harbor Management Commission (HMC) of the Town of Fairfield was held on Tuesday, August 15, 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; Don Hyman; Jeff Warren; Bill Perugini; Dave Henry; and George Harris **ABSENT:** Doug Metchick and Eric Sundman. **ALSO PRESENT:** Geoff Steadman, HMC Consultant; and Bryan LeClerc, Harbor Master.

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 – tabled to the September meeting.

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

1. July 19, 2023 email to Colin Clark at DEEP informing him of the HMC decision to add clarifying language to condition 5 of the DEEP license (permit) for 1143 Sasco Hill Road. The last sentence of the permit will read: "This restriction shall not apply to human powered vessels (i.e. rowboats, canoes, kayaks, paddleboards, etc.) or sail powered vessels without a fixed keel (i.e. Sunfish, Hobie Cat, Lasers, etc.)."
2. July 24, 2023 emailed letter to James Wendt, Fairfield Planning Director; Town Plan and Zoning (TPZ) Commissioners, Jim Baldwin, Town Attorney; Tim Bishop, Conservation Director; Jon Dilly, Mill River Wetlands Committee; Mary-beth Hart, DEEP; Mary Hogue, FairPLAN; and Megha Jain, Fairfield Engineering Department; informing them that according to state statute and the Town Code the TPZ Commission must give the HMC a 35-day notice of matters before the TPZ Commission that impact the HMC’s jurisdiction, including the Perry Green bulkhead proposal; and reporting that although not properly referred to the HMC, the HMC has nevertheless reviewed and supports the proposed Perry Green bulkhead project. In addition, the HMC requests that the Town bodies, including the HMC, involved in the Mill River and Exide clean up and remediation project have the opportunity to comment on proposed redevelopment plans proposed for this site at 2190 Post Road, including proposed plans for public access to the river. Also attached was the HMC’s presentation titled Exide Environmental Remediation Project on the Mill River and Southport Harbor.
3. July 24, 2023 email exchange with Bruce Mansevit asking about the repair of the pier at the Lower Wharf.
4. July 26, 2023 received a copy of a letter from Dr. John Pinto, President of the CT Harbor Management Association to the Commissioner of the State DOT and the Secretary of Policy and Management expressing concern that the planned transfer of Mr. Salvatore, who has been managing the SHIPP grants, from the CT Port Authority to the State DOT may adversely impact the grant program.

HARBOR MASTER REPORT: Harbor Master Bryan LeClerc: Mr. LeClerc reported: All the moorings in the harbor are occupied; names have been added to the wait list. A few vessels at the dinghy dock were found to have expired State registrations and Marina Manager Justin Cathcart has been notified. There was a minor incident in which one of the PYC vessels was damaged; no one was injured. Upon inspection of the Lower Wharf pier after the DPW crew removed a storm-damaged portion of it, such removal was clearly necessary in the interest of public safety; the Harbor Master has received many comments from area residents, fishermen and boaters about it. Upon inquiry by Commissioner Harris, the Harbor Master indicated that the remaining pilings do not present a hazardous condition for boating. Although area fishermen have indicated there is a decrease in their catch recently, a large turtle and blue crabs have been seen in the harbor. Harbor Master LeClerc continues to monitor the activity in Southport Harbor.

NEW APPLICATIONS: No new applications

OLD BUSINESS:

- 1. Lower Wharf Repairs, Mr. Steadman:** Mr. Steadman reported that he has been in communication with the former president of the Sasquanaug Association and noted the deed restrictions in place when the Town acquired the Lower Wharf area. Mr. Steadman further noted that the Sasquanaug Association had played a significant role, including participating in the funding, when the Town acquired the parcel, and should be given an opportunity to review and comment on the HMC's plans for rebuilding the pier. Devin Santa will provide a cost estimate for the work needed to obtain DEEP approval to rebuild the northern pier as well as information about the merits of seeking DEEP approval for the work through either a COP or general permit.
- 2. Lower Wharf SHIPP Grant Refund: Mr. Steadman:** Mr. Steadman is continuing to finalize this report for review and submittal to the Town Finance Department.
- 3. Lower Wharf Risk Assessment and Rules, Mr. Hyman:** Commissioner Hyman reported that he recently met with Town Risk Manager Peter Ritchie, DPW Supervisor Carlos Monteiro, and Park Superintendent Doug Novak to discuss signage at the Lower Wharf; deed restrictions and overall management of the property were also discussed. Mr. Ritchie will be reviewing this matter with Conservation Director Tim Bishop for his input. The Town Attorney is also reviewing how the RTM may have designated this parcel when it was acquired. The Sasquanaug Association will be kept notified of any developments. It is anticipated that a single well-designed and -placed sign outlining the rules and regulations will be installed. The HMC discussed the deed restrictions and the HMC's responsibilities for managing the property. Commissioner Harris noted that he had received an email from the Historic District Commission about the recent removal of a damaged section of the pier; although it had been removed swiftly due to safety concerns, the Historic District Commission is requesting that the HMC submit an application for a Certificate of Appropriateness (retroactive). Harbor Master LeClerc inquired as to whether the Historic District Commission's jurisdiction includes structures located in the water.

4. **Sand Management, Mr. Steadman:** Mr. Steadman reported that the ACOE has prepared a draft dredging plan for nearshore sand placement; an Engineering Dept. survey has shown there is currently no need to place any additional sand on Sasco Beach. The ACOE is continuing to work on property ownership issues concerning the area to be dredged adjoining the federal jetty and for the purpose of obtaining a construction access easement from the Country Club of Fairfield; Scott Lehman, Surveyor with the Town Engineering Department, is reviewing the Town GIS maps of the area; those maps mistakenly show Town ownership of a portion of the project area. Harbor Master LeClerc inquired whether an easement agreement can be drafted between the parties (Country Club and ACOE) which would allow an easement to be developed prior to resolution of all ownership issues. Mr. Steadman noted this is a complex issue being reviewed by the ACOE real estate section.
5. **Mooring Committee, Mr. Herschler:** Commissioner Warren noted that the Committee discussed most of the items set forth in the Harbor Master's report above. The Committee will be reviewing its schedule and future agendas to avoid unnecessary meetings.
6. **Potential development of 2190 Post Road, formerly the Exide property**
[Exide HMC Presentation 9.14.20.pdf \(fairfieldct.org\)](#)
Chairwoman Taylor noted that she was present at a recent TPZ Commission meeting at which a conceptual plan for the development of 98 housing units, retail space, and a storage facility on the former Exide property was discussed. The plan also includes an area along the Mill River that would be designated as a public access area. The HMC's role will be to review the proposed development plan when submitted to the TPZ for any impacts it may have on Southport Harbor. A formal application to TPZ is anticipated in the near future. Mr. Steadman provided a brief summary of the remediation activities that occurred on this site, noting that it was a very successful project and, in addition to other stakeholders, the HMC and the Shellfish Commission had significant roles in the remediation. The HMC will review and comment on any development proposals submitted relative to this property including the adequacy of the public access space.

PUBLIC INPUT:

1. Commissioner Perugini advised the HMC that the Coast Guard Flotilla 77 will be conducting its Safe Boating Course on August 26th from 9-4.
2. Mr. Steadman advised the HMC that the TPZ Commission is currently updating the Town Plan of Conservation and Development (POCD); Mr. Steadman recommended that the HMC submit comments, including a recommendation that the Harbor Management Plan be referenced in the POCD. It was also noted that the Town of Fairfield Shellfish Management Plan also should be referenced in the POCD.
3. Former Harbor Master Patrick Carroll thanked the HMC for its good work.

ADJOURNMENT: There being no further business to come before the Commission, Jac Herschler *moved* and Jeff Warren *seconded* to adjourn at 5:53 p.m. *Motion passed unanimously.*

The audio recording can be found here: [08/15/23 Harbor Management Commission - YouTube](#)

Respectfully submitted,
Betty Gabriel