

**TOWN OF FAIRFIELD
HARBOR MANAGEMENT COMMISSION
MEETING MINUTES OF JULY 19, 2011**

A meeting of the Harbor Management Commission (HMC) was held on Tuesday, July 19, 2011 at 4:30 p.m. in the Second Floor Conference Room of the Honorable John J. Sullivan Independence Hall, 725 Old Post Road, Fairfield, CT.

MEMBERS PRESENT: Mary von Conta, Chairman; E. Hewitt Gaynor; John Zygmant; Sandye Mann (Alternate Member) and Nelson North (Alternate Member). **ABSENT:** Hugh Smith; David Drabaski; James P. Bradley; and Louis Schueler. **ALSO PRESENT:** Patrick Carroll, Harbor Master; Geoff Steadman, HMC Consultant; Thomas Steinke, Conservation Director; Jeff Engborg, Pequot Yacht Club Manager; Joel Kunkel, Pequot Yacht Club; Steven Klemenz and Thomas Rudkin, Country Club of Fairfield; Edward Crowley, Jr., Shellfish Commission Chairman; Michael Ludwig, Ocean & Coastal Consultants; Randy Phelps.

The meeting was called to order at 4:30 p.m. by Chairman von Conta.

Sandye Mann and Nelson North were appointed to sit as full members.

I. APPROVAL OF MINUTES OF JUNE 21, 2011 MEETING:

Nelson North *moved* and Sandye Mann *seconded* to approve the meeting minutes of June 21, 2011. *Motion passed unanimously.*

II. CORRESPONDENCE:

Chairman von Conta reported the following correspondence:

July 6, 2011: from Harbor Master Carroll to Mr. Paul Hiller enclosing a check in the amount of \$200.00 for new mooring permit (Murphy - #177).

July 15, 2011: From Harbor Master Carroll to Mr. Paul Hiller enclosing a check in the amount of \$50.00, filing fee for a 2011 Southport Harbor mooring waiting list application. (Langdon – 112).

July 15, 2011: From Harbor Master Carroll to Mr. Ryan Langdon, 147 Coventry Lane, Fairfield, CT 06824 acknowledging receipt of Mr. Ryan's 2011 mooring waiting listing application and \$50.00 filing fee and notifying Mr. Ryan that he is # 112 on the waiting list.

July 8, 2011: From Harbor Master Carroll to HMC Chairman von Conta a letter/report containing details related to an oil spill incident in Southport Harbor on July 7, 2011.

July 12, 2011: A copy of a letter from Harbor Master Carroll to Lieutenant James Perez of the Fairfield Police Department regarding a Notice sent to Boaters in Southport Harbor by the Harbor Master and HMC which points out that there is a need for greater compliance by boat owners to display registration numbers and decals on their vessels and confirming with Lieutenant Perez that the Fairfield Police Department Marine Unit will be conducting inspections of vessels for proper identification.

Chairman von Conta further advised the HMC that she had received a request from Frank Scholan's daughter, Kathleen McPadden, requesting authorization to place a memorial bench at the Lower Wharf to honor her father. Chairman von Conta indicated that she informed Ms McPadden that, unfortunately, this was not permissible due to deed restrictions which provide that no more than three benches are allowed at that area.

Announcements related to work/interests of HMC (none noted).

III. OLD BUSINESS:

Discussion and review related to a CT DEP Notice of Tentative Determination to approve Permit Application #2008011979-TS submitted by Randy Phelps to remove an existing dock and install a new dock at 241 Harbor Road, Southport, CT: Michael Ludwig of Ocean & Coastal Consultants provided the HMC with a description of the proposal, noting that this application had first come before the HMC in 2008. Geoffrey Steadman indicated that the HMC had submitted comments and recommendations to the CT DEP in 2008, and that the current proposal of the applicant appears to incorporate those recommendations, and further advised the HMC that he recommended that it now find that the applicant's proposal is consistent with the Southport Harbor Management Plan. Following inquiry by John Zygmant, it was noted that the CT DEP had not included a condition restricting the timing of the activities so that they would be performed in a time and manner which would not interfere with the boating season or marine habitat. Mr. Ludwig indicated that this was likely due to the fact that the proposed activities were not expected to have a significant impact, and that he anticipates the barge to be at the site less than one day. Following discussion, E. Hewitt Gaynor *moved*, and Sandye Mann *seconded* to find that the proposed activities are consistent with the Harbor Management Plan, and to submit a recommendation of approval to the CT DEP, with the condition that the work be conducted within a time frame that would not have any significant adverse impact on the normal operation of the harbor. *Motion passed unanimously.*

Mooring Report: Harbor Master Carroll reported that a notice has gone on to all the permit holders advising that the registration number and decals must be properly displayed on their respective vessels. Additionally, Harbor Master Carroll has coordinated with Lieutenant James Perez for regular inspections by the Police Department's Marine Unit to ensure compliance. The HMC discussed the notification process with regard to requirement for a 15 day response period for accepting an offer of a mooring location. Harbor Master Carroll is continuing his efforts to fill the vacant mooring in accordance with the current requirements, and, in order to expedite the process, has also attempted to contact individuals on the waiting list by telephone.

Lower Wharf Report: Mr. Steadman advised the HMC that this matter is moving forward. As required by the DEP-OLISP, the HMC has prepared a legal notice will be published in the Fairfield Citizen Newspaper providing the formal public notice of the HMC's application to the DEP OLISP. Following publication of the legal notice in the newspaper, the DEP OLISP will issue a Notice of Tentative Determination for approval of the HMC's application and there will be a public comment period during which interested parties can provide comments to the DEP OLISP concerning the

application. Chairman von Conta reported that she and Mr. Steadman will be meeting with interim Selectman Michael Tetreau to inform him of the status of the HMC's application to the DEP OLISP and otherwise described the planned Lower Wharf improvements to him. Mr. Steadman provided the HMC with a breakdown of the costs related to this project which totaled \$278,000k, to be pursued most likely over a period of several years. Once final CT DEP approvals are received, the HMC will proceed to seek the additional funding needed to undertake the entire project. A total of \$150,000 was previously allocated by the Town for the project. Additional funds will be sought from the Community Sailing organization and other sources. The work to be conducted under this project will be carefully prioritized, and include dredging, improvements to the launching ramp, installation of a community sailing dock, repair of the stone sea wall, and restoration of the public access pier.

Sand Management Report: Report on Proposal For Benthic And Botanical Survey Submitted to HMC by William Kenny Associates, LLC. Mr. Steadman reviewed the proposal by W. Kenny Associates to conduct the benthic and botanical survey. The fee associated with these professional services is \$2,500.00. Mr. Steadman indicated that he and John Roberge are continuing to review the sand management plans with the CT DEP. Following inquiry by Sandye Mann, Mr. Steadman confirmed that there would not be any additional costs to extend the hydrographic survey to include the area in and near the channel at the south end of the jetty. Following discussion, Sandye Mann moved, and Nelson North seconded to authorize Mr. Steadman to direct Roberge Associates to extend the hydrographic survey to include the area in and near the channel at the south end of the jetty, approximately 100' south, such extension to be undertaken at no additional costs, per John Roberge's communication with Mr. Steadman. Motion passed unanimously.

IV. NEW BUSINESS:

1. Sandye Mann indicated that the Penfield Reef Lighthouse group is working to raise awareness of its efforts for the acquisition and preservation of the lighthouse on behalf of the Town of Fairfield residents. Ms. Mann requested that the HMC submit a statement of support for the group's efforts to acquire the lighthouse. Following HMC inquiry, Ms. Mann further indicated that if the lighthouse was acquired by the Town, the maintenance would be performed by the Historic Commission, Town Department of Public Works employees, and the lighthouse committee members. This matter will be reviewed again at a future meeting when additional members are present.

2. John Zygmant raised the issue the use of paddle boats in the harbor, noting that there should be increased safety awareness. Harbor Master Carroll suggested that the community sailing program may wish to provide public notice for safety awareness for the use of kayaks and paddle boards in the channel. Shellfish Commission Chairman Edward Crowley indicated that there is a Westport training program that utilizes the Ye Yacht Yard area as a drop-off point, although he has not witnessed any equipment transport at the area. Further information on the use of this site for launching for commercial programs will be obtained for discussion.

V. **PUBLIC COMMENT:** No public comment.

VI. **ADJOURNMENT:**

There being no further business to come before the HMC, John Zygmant *moved*, and E. Hewitt Gaynor *seconded* to adjourn at 5:44 p.m.

Respectfully submitted,
Betty Gabriel

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