

**TOWN OF FAIRFIELD
HARBOR MANAGEMENT COMMISSION
MEETING MINUTES OF OCTOBER 16, 2012**

A meeting of the Harbor Management Commission (HMC) was held on Tuesday October 16, 2012 at 4:30 p.m. in Meeting Room II of the Honorable John J. Sullivan Independence Hall, 725 Old Post Road, Fairfield, CT.

MEMBERS PRESENT: Mary von Conta, Chairman; James Harman, Benjamin Baker, Louis Schueler, John Zygmant, and Norman Marsilius. **ABSENT:** Sandye Mann, Nelson North, Hugh Smith. **ALSO PRESENT:** Geoff Steadman, HMC Consultant; Patrick Carroll, Harbor Master; Joel Kunkel, Pequot Yacht Club; Steven Klemenz, Country Club of Fairfield.

The meeting was called to order at 4:33 p.m. by Chairman Mary von Conta.

I. APPROVAL OF MINUTES OF SEPTEMBER 19, 2012 MEETING:

Benjamin Baker *moved* and John Zygmant *seconded* to approve the Minutes of September 19, 2012, as distributed. *Motion passed unanimously.*

II. CORRESPONDENCE:

Chairman Mary von Conta reported the following correspondence:

September 29, 2012: From Harbor Master Carroll to Mr. Stephen Rowland, 11 Devon Road, Westport, CT 06880 acknowledging receipt of his Southport Harbor 2012 mooring waiting list application and filing fee in the amount of \$50.00. (#102 on the waiting list).

September 29, 2012: From Harbor Master Carroll to Mr. Hiller a check in the amount of \$50.00, filing fee for 2012 mooring waiting list application. (Mr. Rowland # 102.)

October 3, 2012: From HMC Consultant Geoff Steadman to Ms. Diane Rae of the USCOE providing the information that Ms. Rae had requested regarding the HMC's Lower Wharf project. This information consisted of a report on the Oil and Chemical Spill History in the area of the Lower Wharf and a response to the Shellfish Commission's comments on the LW project.

Early in October: Copies of the Shellfish Commission's Agenda for its October 10, 2012 Commission Meeting and the minutes of its September 12, 2012 Meeting.

October 14, 2012: From Chairman von Conta to Mr. David Carey, Director of CT Dept. of Agriculture Bureau of Aquaculture, thanking Mr. Carey for conducting an assessment of shellfish resources at the site of the HMC's pending dredging project at the Lower Wharf.

III. OLD BUSINESS:

Lower Wharf Report: Chairman von Conta reported that she advised the Department of Public Works (DPW) that one of the benches at the Lower Wharf is loose and requested that they secure it.

Mr. Steadman reported on an assessment of shellfish resources conducted in the HMC's proposed dredging area at the Town Boatyard and Lower Wharf. On October 2, the Connecticut Bureau of

Aquaculture sampled ten locations, finding anoxic mud in all locations and just a few clams. Mr. Steadman distributed photographs showing sediment and shellfish found in the area. The Bureau of Aquaculture concluded that: the proposed dredging area does not provide significant shellfish habitat; that no significant populations of shellfish inhabit the area; and that the HMC's proposed addition of shells after dredging will improve the habitat. Ed Jones from the Town Conservation Department was present for the sampling and reported the results to the Shellfish Commission. Chairman von Conta reported that at their October meeting the Shellfish Commission voted to approve the HMC's Lower Wharf project. A final report on the shellfish assessment is being prepared by the Bureau of Aquaculture and is expected to be completed in a few weeks.

Roberge Associates is planning to conduct soil borings soon in the area of the HMC's proposed community sailing dock and then will prepare final cost estimates for the entire project.

Mooring Report: Harbor Master Carroll reported that the Mooring Committee had met on October 13. The committee reviewed preparation for the dredging project to be conducted by the Pequot Yacht Club. Mr. Carroll noted that the work to achieve removal of vessels from the Harbor in preparation for the dredging project was ahead of schedule, and thanked the mooring holders for their cooperation in this regard. Affected mooring tackle is currently being removed. It was noted that the dredging contractor now expects to begin work two weeks later than the date originally specified.

Mr. Carroll also reported that work is in progress to repair the outer harbor beacon. Completion is expected in two weeks. The Coast Guard will add lights when the structure repair is completed.

The concept of requiring "Harbor Use" permits for vessels kept at private docks in order that all vessels in the Harbor contribute to the costs of managing the Harbor had been discussed by the Mooring Committee. It was agreed that further review of this concept is required. The Harbor Master noted that currently there are 14 boats at private residence docks and 13 boats at Pequot Yacht Club docks which would be covered by such a requirement.

A list of boats recently given enforcement warnings for registration non-compliance by the Fairfield Police Marine Unit was reviewed. The Harbor Master noted that in the 2013 boating season the Marine Unit plans to issue citations to non-compliant boat owners. A similar policy will be pursued at South Benson Marina. Proper display of Mooring Permit stickers will also be checked.

Mr. Carroll reported that the Fairfield Police Marine Unit has asked that the HMC consider requiring that each person applying for a mooring permit provide a copy of his or her Safe Boating Certificate with the application. Following discussion by the Committee it was agreed not to add this requirement. Consensus was that operator compliance is not directly related to mooring permit administration and should be the purview of the police, not the HMC, and that boat owners and operators may not be the same person in many cases.

Chairman von Conta and Mr. Steadman will prepare a list of questions for discussion with the Town Attorney, including questions concerning the feasibility of requiring "Harbor Use" permits for vessels at private docks and questions concerning the procedure for enforcement of the HMC's mooring rules and procedures.

The Harbor Master noted an inaccurate statement regarding Southport Harbor in the current issue of the State of Connecticut Boating Guide. Chairman von Conta has contacted the DEEP Boating Division about this matter and was informed that it will be corrected for the 2013 issue.

Sand Management Report: Chairman von Conta reported that the focus of this HMC project is now on utilizing all sand from the Harbor channel and sand bar adjoining the Harbor jetty for beach nourishment purposes. She reported that she, Mr. Steadman and Devin Santa from Roberge Associates met with representatives of the Country Club of Fairfield to discuss opportunities to place some of the sand on the Country Club beach. Roberge Associates will develop a more detailed plan for presentation to the Country Club's Grounds Committee and then to club's Board of Directors. Adding sand to the Country Club beach might also facilitate trucking some sand to the Town's Sasco Beach for stock-piling for transport to other Town beaches. Opportunities for obtaining project funding will be pursued by the HMC, recognizing that some State funds may be available.

Review of "Remedial Action Plan For Lead Impacted River Sediments/River Study Areas I-V/The Former Exide Battery Facility Project/2160 Boston Post Road, Fairfield, CT: Mr. Steadman reported that he was informed by a representative of the DEEP that a date for the public meeting regarding this project is expected to be set soon. Mr. Steadman said he was informed by the DEEP that a public notice for the meeting will be issued by the DEEP 30 days before the meeting and then there will be a 30 day public comment period following the meeting.

Review DEEP Consultation Package related to a proposed application by the Country Club of Fairfield to retain and maintain an existing earth berm and lagoon slope at 936 Sasco Hill Road, Fairfield, CT: No additional action taken this evening.

Review Application for a Certificate of Wetlands Conformance for Targeted Soil Excavation Tide Mill, LLC, 2425 Post Road, Southport, CT-LEA, Comm. No. 85TM201: No additional action taken this evening.

IV. NEW BUSINESS: Mr. Steadman reported that the State Harbor Management Annual Meeting will be held November 29.

Chairman von Conta thanked the Pequot Yacht Club staff for the excellent job they did preparing for the club's dredging project and working cooperatively with all boat owners in the Harbor to achieve the most effective removal of vessels that will be affected by the project.

V. PUBLIC COMMENT: None noted

VI. ADJOURNMENT:

There being no further business to come before the Commission, John Zygmant *moved* and Louis Schueler *seconded* to adjourn the meeting at 5:17 p.m. *Motion passed unanimously.*

Respectfully submitted,
James Harman