

**TOWN OF FAIRFIELD
HARBOR MANAGEMENT COMMISSION
MEETING MINUTES OF SEPTEMBER 17, 2013**

A meeting of the Harbor Management Commission (HMC) was held on Tuesday September 17, 2013 at 4:30 p.m. in the Second Floor Conference Room, the Honorable John J. Sullivan Independence Hall, 725 Old Post Road, Fairfield, CT.

MEMBERS PRESENT: Mary von Conta, Chairman; Nelson North; James Harman; Louis Schueler; Benjamin Baker; Norman Marsilius; Hugh Smith; John Zygmant,

MEMBERS ABSENT: none

ALSO PRESENT: Geoff Steadman, HMC Consultant; Patrick Carroll, Harbor Master; Joel Kunkel, Pequot Yacht Club; Steve Klemenz, Country Club of Fairfield; and William Waldron.

The meeting was called to order at 4:31 p.m. by Chairman von Conta.

I. APPROVAL OF MINUTES OF AUGUST 20, 2013 MEETING:

James Harman *moved* and John Zygmant *seconded* a motion to approve the minutes of August 20, 2013, as written. *Motion passed unanimously.*

II. CORRESPONDENCE:

Chairman von Conta reported the following correspondence:

August 22, 2013: From Chairman von Conta to Ms Carolyn Fusaro, CT DEEP Remediation Division, Mr. Donald Gonyea, CT DEEP Bureau of Materials Management and Compliance Assurance, and Ms. Tonia Selmeski, CT DEEP Office of Long Island Sound Programs (OLISP) a set of documents concerning the Proposal by Exide Group, Inc. to Dredge Lead Contaminated Sediment from the Mill River and Southport Harbor. The documents include a Statement of Harbor Management Plan Consistency regarding the Exide proposal including the HMC's comments and recommendations regarding the proposal.

Early in September: A copy of the Agenda for the Shellfish Commission's meeting of September 11, 2013.

Dated August 16, 2013 for receipt by the First Selectman's office and forwarded to the HMC at a later date: A Notice of Permit Application published in the August 12, 2013 edition of the Connecticut Post regarding an application to conduct work at 1722 Fairfield Beach Road, Fairfield, CT. This is not in the jurisdiction of the HMC.

September 6, 2013: From Phil Ryan, Town of Fairfield Purchasing Department to Chairman von Conta: a notice that it is time for the HMC to go out to bid for a contractor to perform mooring tackle maintenance in Southport Harbor. (The HMC must do this every three years.) Chairman von Conta noted that she has discussed this bid requirement with Harbor Master Carroll – the number of moorings may be increased from 100 to 130; once the final documents are prepared they will be provided to Mr. Ryan of the Purchasing Department for the issuance of a formal RFP. Chairman von Conta acknowledged the outstanding service provided by the Pequot Yacht Club, the current contactor for mooring tackle maintenance and the successful bidder the last time this went out for bid.

III. OLD BUSINESS:

1. **Lower Wharf Report:** Mr. Steadman reported that he is continuing to work with Roberge Associates Coastal Engineers (RACE) who are completing the bid documents; and that once the bid documents are finalized by RACE, certain elements of this project will go out to bid by the Department of Public Works (DPW). Chairman von Conta noted that there was a recent meeting with members of the Southport Conservancy wherein repair of the buildings at Ye Yacht Yard was discussed. Chairman von Conta appointed Hugh Smith, John Zygmant and Harbor Master Carroll as Committee members to continue to work on this matter. The role of this Committee is to work with the Town DPW, Parks and Recreation Commission and Department, the Ye Yacht Yard neighbors, and the Historic Commission on matters including the parking layout, signage and sufficient and appropriate access to the area. The DPW will be rebuilding the oar house damaged by Storm Sandy. This structure is used for storing life jackets, equipment, and oars. The Conservancy has offered to provide funding assistance to ensure use of appropriate shingles for the structure. Chairman von Conta further noted that the formal designation of the area provides for active recreation, and although the Parks and Recreation Department maintains authority over the site, HMC will be responsible for determining the consistency of any proposed improvements with the Harbor Management Plan. In addition, the Harbor Management Plan specifically calls for the HMC to work cooperatively with the Parks and Recreation Commission on plans for to ensure appropriate access to the harbor through the Ye Yacht Yard property.
2. **Sand Management Report:** Mr. Steadman reported that he, along with Chairman von Conta, Nelson North, and Milan Bull from the Connecticut Audubon Society recently visited the sand bar to conduct an inspection of the site. It has been determined by the DEEP that the piping plover, an endangered bird species, has been observed on the site. The Federal Fish and Wildlife Service is now involved, and sand management efforts are currently on hold until it can be determined how best to proceed so that sand excavation needed to maintain the channel does not adversely affect the bird's habitat. William Hurley of the Town Engineering Department is communicating with the FEMA representatives to obtain information regarding a possible extension of the period of time available to complete the work with FEMA funding assistance. The sand management issue must be addressed in order to properly maintain the harbor. CT Audubon may be able to provide some assistance for developing a plan to properly manage the bird habitat.
3. **Mooring Report:** Commissioner Marsilius provided the HMC with draft amendments to the HMC Rules and Procedures for Mooring, Anchoring, and Docking Vessels in Southport Harbor as developed by the Mooring Committee. Many issues were discussed, including specific dates for the boating season, and rules regarding reasonable use of a mooring during the boating season. The HMC anticipates reviewing a final draft at its October meeting. A public hearing may be held in November prior to formally adopting amendments to the rules and procedures, as revised through HMC discussions. Chairman von Conta noted that she has requested some assistance from the Town Attorney regarding the authority of the HMC/Harbor Master to require proof of liability insurance and registration information for owners of vessels that have private docks in the harbor and will keep the HMC advised once she receives the Town Attorney's advice on this matter.

4. Review the DEEP Consultation Package related to a proposed application submitted by the Country Club of Fairfield to retain and maintain an existing earth berm and lagoon slope at 936 Sasco Hill Road, Fairfield, CT:

Steve Klemenz noted that engineers working for the Country Club of Fairfield are continuing to work on this matter. No action required by the HMC this evening.

IV. NEW BUSINESS:

Hugh Smith expressed concern over the number of kayakers and paddle boarders who do not wear life jackets. Chairman von Conta said that she and Harbor Master Carroll have communicated these concerns to Mr. Klemenz of the Country Club of Fairfield as it appears that some of this activity originates from the Country Club property.

Harbor Master Carroll reported that he has received complaints concerning difficulty seeing the outer beacon, and has alerted the Coast Guard.

V. PUBLIC COMMENT: none

VI. ADJOURNMENT:

There being no further business to come before the Commission, James Harman *moved* and John Zygmant *seconded* a motion to adjourn the meeting at 6:08 p.m. *Motion passed unanimously.*

Respectfully submitted,

Betty Gabriel