

**TOWN OF FAIRFIELD
SHELLFISH COMMISSION
MEETING MINUTES – January 13, 2010**

The Shellfish Commission of the Town of Fairfield held a meeting on January 13, 2010 at 7:30 PM in the Second Floor Conference Room of the Honorable John J. Sullivan Independence Hall, 725 Old Post Road, Fairfield, Connecticut

MEMBERS PRESENT: Edward Crowley Jr., Chairman; Sanford J. Wakeman Jr., Vice Chairman; Gregory D. Lanute, Secretary; S. James Baum, MD; Sally Harold; David Thornton

MEMBERS ABSENT: Cathy Raynor-Catropa

ALSO PRESENT: Edward Jones, Open Space Manager

CALL TO ORDER: Edward Crowley Jr., Chairman, called the meeting to order at 7:30 PM

I. BILLS AND COMMUNICATIONS

A. Meeting Minutes of December 9, 2009

S. James Baum, MD *moved*, Sally Harold *seconded* to accept the minutes of December 9, 2009. *Motion passed unanimously.*

B. Committee Reports

1. *Clam Relay/Planting:* Crowley – No report presented this evening
2. *Water and Habitat Quality:* Wakeman, Harold, Raynor-Catropa – Sanford J. Wakeman Jr. reported that no sampling has been done recently because of ice. He reported that he observed two pipes, one by the Southport boat yard and one by the Pequot Yacht Club green, that seem to have a constant flow of water. He will inquire of Thomas J. Steinke as to the origin of the pipes.
3. *Permits and Access:* Thornton – No report presented this evening. Edward Crowley Jr. noted that he has suggested to Thomas J. Steinke that permits be printed.
4. *Commercial Shellfish Regulations:* Crowley, Wakeman, Harold – No report presented this evening
5. *Oyster Bed Development:* Lanute, Thornton, Harold – Sally Harold reported that she has been in contact with David Carey of DA/BA. The subcommittee will meet next month.

II. OLD BUSINESS

A. Exide Battery Site, Post Road, Fairfield, Exide Sediment Sample Collection & Quality Assurance Project Plan (SedQAPP), Implementation Report for Qualitative Assessment Mill River Area I-V – November 13, 2009 Responses to Questions Posed by Fairfield Conservation Commission

Thomas J. Steinke sent a letter requesting further testing. Exide responded and the response was provided to the Commission.

B. CT DEP-OLISP and US ACOE Application(s) of Philip DeGennaro, Proposed Non-Harbor Mooring in Long Island Sound, near 607 Fairfield Beach Road, Fairfield

Edward Crowley Jr. reviewed email correspondence relating to the moorings and noted that town counsel has submitted a proposal for a mooring agreement. He noted, however, that if there are too many moorings, DA/BA can consider the area a marina which would come with further rules and regulations, especially as they relate to onboard toilet facilities.

Further communication is needed with DA/BA regarding consideration as a marina, the number of boats and related matters.

C. DEP-OLISP Application of Stuart Bell, 340 Willow Street, Southport – Proposed Plans

Tim DeBartolomeo of Cuoco Structural Engineers discussed the previous plans and changes. The Harbor Management Commission and Thomas J. Steinke required some changes. Harbor Management's recommendations were more technical in nature.

Specifically, Thomas J. Steinke's recommendation that the timber crib structure be removed will now be incorporated into the plan, furthermore, the same is authorized by DEP under a previous permit.

Tim DeBartolomeo also noted that the report of Dr. Peter Pellegrino did not include any findings relevant to the application.

Gregory D. Lanute *moved*, S. James Baum, MD *seconded* to endorse the Bell application with recommendations by Thomas J. Steinke incorporated. Motion passed unanimously.

D. Review Re: Charging Fees to Set Moorings, Anchors and Pilings in Natural Beds within Fairfield Shellfish Commission's Jurisdiction – Discussion

No discussion

E. Sanitary Survey of Shoreline – Discussion

Edward Crowley Jr. discussed that consultants will need to be hired for testing.

Furthermore, David Carey of DA/BA told Sally Harold that he proposed that Fairfield be considered as a test case town with the EPA so additional funds might be made available.

III. NEW BUSINESS

None

IV. INFORMATIONAL

- A. 2009-2010 Budget Expenditure Status – Informational
- B. Shellfish Fund Balance – Informational
- C. License Permits issued through December 31, 2009 – Informational
- D. Phone calls for status of open or closed for December 2009 – Informational
- E. 30th Annual Milford Aquaculture Seminar on February 8-10, 2010 – Informational
- F. Discussion on Permitting Aquaculture Structures in Connecticut – Informational
- G. 6th Annual Gathering of Shellfish Commissions; Discussion on January 9, 2010 Meeting – Informational

V. OTHER

None

VI. PUBLIC COMMENT

None

VII. ADJOURNMENT

There being no further business to come before the Commission, Sanford J. Wakeman Jr. moved, Gregory D. Lanute seconded to adjourn at 7:59 PM. Motion passed unanimously.

Respectfully submitted,

Anthony Monelli