

**TOWN OF FAIRFIELD
SHELLFISH COMMISSION
MEETING MINUTES – October 12, 2011**

The Shellfish Commission of the Town of Fairfield held a meeting on October 12, 2011 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, Chairman; Sanford J. Wakeman, Vice Chairman; Gregory D. Lanute, Secretary; Paul Nelson; Cathy Raynor-Catropa; David Thornton

MEMBERS ABSENT: Sally Harold

ALSO PRESENT: Thomas J. Steinke, Conservation Director

CALL TO ORDER: Edward Crowley, Chairman, called the meeting to order at 7:37 PM

I. BILLS AND COMMUNICATIONS

A. Meeting Minutes of August 10, 2011

Sanford J. Wakeman *moved*, Paul Nelson *seconded* to accept the minutes of August 10, 2011. *Motion passed unanimously.*

B. Meeting Minutes of September 14, 2011 - Meeting Cancelled

C. Committee Reports

1. *Clam Relay/Planting:* Crowley – No report presented this evening
2. *Water and Habitat Quality:* Wakeman, Harold, Raynor-Catropa – Shellfish beds are still closed
3. *Permits and Access:* Thornton – No report presented this evening
4. *Commercial Shellfish Regulations:* Crowley, Wakeman, Harold – No report presented this evening
5. *Oyster Bed Development:* Lanute, Thornton, Harold – No report presented this evening

II. OLD BUSINESS

None

III. NEW BUSINESS

A. CT DEP-OLISP, COP Application of Southport Realty Corp., to rebuild existing boat dock and elevate house to conform with flood regulations at 789 Harbor Road, Southport

Thomas J. Steinke reviewed the improvements proposed in the application and described the DEP's process. He expressed concern about the lack of information including the common wall and the effect of construction on it. He also discussed concerns regarding storm water and the culvert in the area. His recommendation was for the applicant to amend the application to be more specific about the area of the project.

Thomas J. Steinke further recommended that no piles be placed beyond the existing wharf so as to keep the area open for the maintenance of the shellfish resource. No further encroachment than present should be made into the channel.

The applicant's architect described the project and noted his efforts to prevent flooding. The building will be set on pilings to take the load off the foundation and will be raised by five feet. The project is needed to bring the building into compliance with federal regulations. He has presented the application to the town engineer and has appropriate surveys. He noted that the property line extends six feet into the water.

John Hilts, consultant to the applicant, reviewed the federal and state approvals all ready received. He further discussed that the existing dock exceeds the permissible length and that the applicant does not claim ownership of the entire area of construction, but must apply for permits for those areas, specifically the land below the float, pier, and ramp.

Mr. Hilts inquired of Thomas J. Steinke the shellfish classification, relays, and maintenance practices. Thomas J. Steinke clarified the needs of shellfish management, dredging, and habitat quality. Mr. Hilts noted his belief that the proposal leaves enough room near the struts to allow for dredging.

Following the Commission's deliberation, Edward Crowley called for a vote on the item with respect to the existing strut-supported float design whose seasonal removal would facilitate shellfish dredging, and the proposed permanent pile-supported float with its interference with shellfish boat dredging activities

David Thornton *moved*, to approve the application plans as proposed. There was no second to the motion.

Paul Nelson *moved*, Sanford J. Wakeman *seconded* endorse the COP application with the condition that there be no further encroachment of permanent piles or structures waterward of the existing timber piles located at the end of the pier and that the float,

ramp, and boat be removed at the Shellfish Commission's request. The Commissioners voted five in favor, David Thornton opposed, with no abstentions.

Thomas J. Steinke requested a survey and title information, engineering plan and section views of existing and proposed structures, and a revised plan with more specifics on the area structures. The commission noted that if the additional requested information is submitted by Friday, then the letter to the state DEEP CAM Office on the COP application need only include the Commission's vote with respect to the elimination of the proposed timber piles waterward of their present location.

B. CT-DEEP-OLISP, COP application of the Town of Fairfield to remove Pine Creek Ditch sediment and retain 42" diameter storm sewer pipe between Ruane and Thorpe Street

The Commission considered the review comments and recommendations by Thomas Steinke who summarized the backwashing of sediment and tide into the storm water outfalls, creating further problems in the tidal wetlands and requested that a representative of the town Engineering Department be invited to the November commission meeting for the purpose of discussing the proposed project.

Paul Nelson *moved*, Sanford J. Wakeman *seconded* to table the application until the next meeting pending receipt of additional information. Motion passed unanimously.

IV. INFORMATIONAL

Regarding Tropical Storm Irene, Edward Crowley has been in touch with David Carey of DA/BA about the status of the shellfish beds. The Commissioners also reviewed the adverse effects of the tropical storm.

V. OTHER

None

VI. PUBLIC COMMENT

None

VII. ADJOURNMENT

There being no further business to come before the Commission, Sanford J. Wakeman moved, Paul Nelson seconded to adjourn at approximately 8:50 PM. Motion passed unanimously.

Respectfully submitted,
Anthony Monelli