

**TOWN OF FAIRFIELD  
SHELLFISH COMMISSION  
MEETING MINUTES – October 10, 2012**

The Shellfish Commission of the Town of Fairfield held a regular meeting on October 10, 2012 at 7:30 PM in the Second Floor Conference Room of the Fairfield Sullivan Independence Hall, 725 Old Post Road, Fairfield, Connecticut

**MEMBERS PRESENT:** Sanford J. Wakeman, Chairman; David Thornton, Secretary; Robert Bilek; Paul Nelson; Cathy Raynor-Catropa

**MEMBERS ABSENT:** Gregory D. Lanute, Vice Chairman; Sally Harold

**ALSO PRESENT:** Edward Jones, Open Space Manager; Mary von Conta, Chair, Harbor Management Commission

**CALL TO ORDER:** Sanford J. Wakeman, Chairman, called the meeting to order at 7:33 PM

**I. BILLS AND COMMUNICATIONS**

A. Meeting Minutes of September 12, 2012

Robert Bilek *moved*, David Thornton *seconded* to accept the minutes of September 12, 2012 as corrected [Page 1, Item I, Section A, addition of Subsection 2 approving minutes of August 29, 2012 relating to a meeting with DA/BA; Page 1, Item I, Section B, Subsection 1, Line 6, striking sentence “Both areas are conditionally approved by DA/BA and the Shellfish Fund could be used for this purpose,” Line 8, adding the phrase “and the Shellfish Fund could be used for this purpose” onto the last line in the subsection.]  
*Motion passed unanimously.*

B. Committee Reports

1. *Clam Relay/Planting:* Bilek, Thornton – Robert Bilek reported that they have been working with Jim Salce and have received a proposal for the purchase of clams. Robert Bilek summarized the proposal, which includes the purchase of 31 bags littlenecks, 30 bags of topnecks, 15 of cherrystone, for a total of approximately 21,000 clams at a total price of \$2,500, including discount. The price includes spreading clams. The Commissioners discussed the logistics, watercraft usage, buoys, and closure of the area relating to planting the clams. David Thornton will be on board to assist. The Commissioners arrived at a consensus to use the Commission watercraft to assist in the planting so as to be able to plant clams in more shallow areas.

Robert Bilek *moved*, Paul Nelson *seconded* to accept the proposal of Jim Salce for \$2,500 the clam relay as outlined, and in accordance with the Commissioner’s previous vote to spend up to \$3,000. *Motion passed unanimously.*

2. *Water and Habitat Quality*: Bilek, Wakeman, Harold, Raynor-Catropa – Sanford J. Wakeman reported that the beds were closed and that he and Cathy Raynor-Catropa brought meat and water samples to the DA/BA lab in Milford. The Commissioners discussed the impact of recent rains on the samples.
3. *Permits and Access*: Thornton – No report presented this evening
4. *Commercial Shellfish Regulations*: Wakeman, Harold – No report presented this evening
5. *Oyster Bed Development*: Lanute, Thornton, Harold – No report presented this evening

## II. OLD BUSINESS

### A. State of CT DEEP Statewide TMDL for Bacteria Impaired Waters – Response to Public Comments Document – Final September 19, 2012

Edward Jones reported that the DEEP's response to public comment had been provided to the Commissioners for informational purposes.

### B. CT DEEP-OLISP, Application #2004000100-TS, Fairfield Harbor Management Commission, removal of derelict structures, repair existing pier, install new community sailing dock consisting of ramp, float and piles; repair and expand existing boat ramp, install float atop existing boat ramp; conduct new dredging for recreational boating. Proposed activities to be conducted at the Lower Wharf and Ye Yacht Yard

Edward Jones reported that he, Mary von Conta, Chair the Harbor Management Commission, and several others inspected the area on the boat and took some samples of clams. He reported that what came up near the channel was black mayonnaise, and near the ramp two or three clams came up. This is indicative of a poorer quality habitat. Mary von Conta noted that proper grooming after dredging would improve the quality of the bottom. The Harbor Management Commission will see that cultch is laid in certain areas of the project to facilitate shellfish growth.

Robert Bilek *moved*, Cathy Raynor-Catropa *seconded* to endorse the application of the Harbor Management Commission and decline to pursue intervention with the DEEP. *Motion passed unanimously.*

C. CT DEEP OLISP Notice of Tentative Determination to Approve Structures, Dredging and Fill – Application of Fairfield Pine Creek, LLC, to retain and replace existing bulkhead at 1896 Fairfield Beach Road, Fairfield

Robert Sonnichsen, engineer for the applicant, indicated that no changes have been made since the application was first presented in July. Sanford J. Wakeman inquired whether the pilings would be removed. Robert Sonnichsen reported that the contractor will have the discretion to pull or not pull out pilings. The DEEP permit will not allow any pilings to encroach on the channel. The bulkhead construction will not be coordinated with the adjacent property owner due to schedule conflicts and permit status. He also reported that the condition of the pilings is not good and there are concerns that they might snap during the removal process. The Commissioners stressed the importance of full removal of the pilings in accordance with Thomas J. Steinke's recommendations.

Edward Jones reiterated concerns over not removing pilings, and leaving the pilings may present a hazard when scouring of the bottom occurs and exposes them from below the current mud line.

Robert Sonnichsen will contact the contractor to determine the cost and feasibility of completely removing the pilings. Edward Jones noted that DEEP may not allow the removal of the pilings if, for example, the whole area had to be dug up. Robert Sonnichsen offered the alternative of driving the piles deeper if they could not be removed. During soil sampling, the applicant bored down 50 feet without refusal.

Cathy Raynor-Catropa *moved*, Paul Nelson *seconded*, to endorse the proposal with the recommendation that all reasonable efforts be taken to remove the pilings, or if the pilings could not be reasonably removed, that they be driven down deeper so as not to impact the flow of Pine Creek. *Motion passed unanimously.*

D. CT DA/BA Town Recreational Relay License issued to the Town of Fairfield Shellfish Commission

The Commissioners discussed the timing of the relay and how long clams must sit and filter. The permit expires November 1<sup>st</sup>. Sanford J. Wakeman will contact David Carey of DA/BA about extending the date if Jim Salce cannot complete the relay by the expiration of the permit.

### **III. NEW BUSINESS**

A. Printing 2013 Shellfish Permits

The cost to print 200 permits was quoted at \$255.

#### **IV. INFORMATIONAL**

None

#### **V. OTHER**

Sanford J. Wakeman reported that Gregory D. Lanute will be resigning from the Commission and will need to be replaced. Robert Bilek recommended sending him a letter thanking him for his service on the Commission.

Though the town prohibits purchasing of congratulatory plaques with town funds due to budgetary concerns, the Commissioners discussed taking up a collection for recognition of Edward Crowley's service.

#### **VI. PUBLIC COMMENT**

None

#### **VII. ADJOURNMENT**

There being no further business to come before the Commission, David Thornton *moved*, Robert Bilek *seconded* to adjourn at 9:00 PM. *Motion passed unanimously.*

Respectfully submitted,  
Anthony Monelli