

TOWN OF FAIRFIELD  
HARBOR MANAGEMENT COMMISSION  
MEETING MINUTES OF DECEMBER 21, 2021

A Meeting of the Harbor Management Commission (HMC) of the Town of Fairfield was held on Tuesday, December 21, 2021 at 4:45 p.m. in the Second Floor Conference Room of Town Hall, 611 Old Post Road, Fairfield, CT, and via teleconference.

**MEMBERS PRESENT:** Kim Taylor, Chairwoman, Jacob Herschler, Sam Cargill, Doug Metchick, Eric Sundman, Don Hyman, Bill Perugini. **ALSO PRESENT:** Geoff Steadman, HMC Consultant; Bryan LeClerc, Harbor Master; Jeff Engborg, Pequot Yacht Club (PYC); Tim Bishop, Conservation Director; and Devin Santa, RACE Coastal Engineering (RACE).

**CALL TO ORDER:** The meeting was called to order at 4:45 p.m. by Chairwoman Taylor.

**SALUTE TO THE FLAG**

**APPROVAL OF MINUTES: October 19, 2021** – Jac Herschler *moved*, and Eric Sundman *seconded* to approve the October 19, 2021 Minutes. **In Favor:** Jac Herschler, Sam Cargill, Doug Metchick, Eric Sundman, Kim Taylor. **Abstention:** Don Hyman, Bill Perugini. **Opposed:** None. *Motion passed 5-0-2.*

**APPROVAL OF MINUTES: November 16, 2021** – Jac Herschler *moved*, and Eric Sundman *seconded* to approve the November 16, 2021 Minutes. **In Favor:** Jac Herschler, Sam Cargill, Doug Metchick, Eric Sundman, Kim Taylor. **Abstention:** Don Hyman, Bill Perugini. **Opposed:** None. *Motion passed 5-0-2.*

Chairwoman Taylor welcomed new Commissioners Don Hyman and Bill Perugini who described their interests in serving on the HMC; Chairwoman Taylor also noted that former HMC Commissioner and Harbor Master Patrick Carroll was in attendance.

The HMC recognized the significant efforts and contributions of former Commissioners Harry French, Mark Foster, and Ted Schwartzman.

**CHAIRMAN'S REPORT:** Chairwoman Taylor reported the following communications:

1. November 24, 2021 Budget Message – *Chairwoman Taylor briefly explained the budget approval process, reported that there has been no increase in the HMC's Budget Request for the past two years, and discussed the various annual expenses and funding sources.*
2. December 1, 2021 from RACE: Harbor Management Pre Submission and Consultation Form in connection with plans for a pier and platform at 1143-1155 Sasco Hill Rd. which is at Kensie Point – *discussed below.*
3. December 3, 2021 HMC copied on an email from Department of Energy and Environmental Protection (DEEP) to Aquarion Water Company transmitting a water diversion permit - *This matter was discussed briefly, the conditioned approval by DEEP provides for reactivation of the Mill River stream gauging station and other conditions supported by the HMC.*

**APPLICATIONS:** RACE - Pier and Platform at 1143-1155 Sasco Hill Road:

[LWRD License Application Pre-Submission Consultation Form Harbor management commission \(fairfieldct.org\)](#)

[April 1, 2009 \(fairfieldct.org\)](#)

[Kensie Pt 1.JPG \(6000x4000\) \(fairfieldct.org\)](#)

[Kensie Pt 2.JPG \(2606x1738\) \(fairfieldct.org\)](#)

[Kensie Pt 3.JPG \(2312x1542\) \(fairfieldct.org\)](#)

Geoff Steadman reviewed the DEEP's coastal regulatory process which requires applicants for DEEP permits to submit pre-application plans to the HMC for review with respect to the Harbor Management Plan. The HMC then provides comments and recommendations to DEEP and the applicant prior to submittal of an application to DEEP by the applicant.

Devin Santa of RACE, representing the applicant, provided a description of the project site and the proposal for a fixed pier and platform. Commissioners asked about the status of subdivision plans for the large property at Kensie Point. Mr. Santa said the proposed pier is for the use of one residence. Commissioners noted that the Aspetuck Land trust holds a conservation easement along the shoreline in the vicinity of the proposed pier and asked that the easement be shown on the applicant's project plans. Mr. Santa said the proposed pier would not affect the easement and not interfere with navigation. The Shellfish Commission will also conduct a pre-application review of the proposed project. It was noted that many persons walk along the Kensie Point shore in the public trust area waterward of the mean high water line. Commissioners expressed concern that the proposed pier could interfere with public access along the shore. Mr. Santa explained that the pier will be designed with sufficient clearance to allow people to walk beneath the structure. Following considerable discussion, it was the consensus of the HMC to conduct a site visit to better understand the proposal and potentially affected conditions prior to voting on the proposal at the January meeting.

**HARBOR MASTER'S REPORT:** Harbor Master Bryan LeClerc reported that all mooring tackle has been raised from the harbor and will be inspected by PYC. OnLine Mooring will not be processing mooring permit applications for vessels in the North Anchorage. As of January 1, a Safe Boating Certificate will be required as part of the documentation to be included by an applicant for renewal of a mooring permit or receipt of a new permit.

#### **OLD BUSINESS:**

1. **LOWER WHARF PROJECT:** Mr. Steadman reported that RACE has submitted a proposal in the amount of 11k for preparing an application for a new DEEP Permit on behalf of the HMC for the Lower Wharf Improvement Project. The new Permit would cover replacement of the elevated public piers and repair of Lower Wharf stone work and would not include the previously planned dredging work. The proposal had been reviewed previously by the HMC and conditionally approved by the HMC pending approval by the Purchasing Department and agreement by the Connecticut Port Authority that the SHIPP project grant, issued for the dredging work, can be re-purposed to cover the pier replacement and stone work now planned. Mr. Steadman reported that the Purchasing Department has given approval and written approval from the Port Authority is still to be obtained. Mr. Steadman provided a brief summary of the project history, including the unavoidable delays encountered with respect to the planned dredging work.

2. **SAND MANAGEMENT PROJECT:** Mr. Steadman provided a brief description of the project for the benefit of the new Commissioners and reported that additional information concerning the history of the Southport Harbor federal navigation project has been provided to the Army Corps of Engineers (ACOE) and that it will be necessary to work cooperatively with the Country Club of Fairfield to accomplish the planned dredging of the federal channel near the jetty. Some questions concerning ownership of affected areas are to be addressed by the ACOE.
3. **MOORING COMMITTEE:** Mr. Herschler noted that the items discussed by the Mooring Committee were covered under the Harbor Master's report.
4. **PLAN UPDATE COMMITTEE:** Chairwoman Taylor noted that Doug Metchick and Geoff Steadman have been reviewing the Southport Harbor presentation previously reviewed by the HMC and are working on an updated presentation that would include narration. Mr. Metchick may approach the high school for assistance from students. Chairwoman Taylor indicated that the presentation would be presented to the public and RTM upon completion of the draft Plan update.
5. **STATUS AND SCOPE OF HMC'S RESPONSIBILITY FOR LOWER WHARF:** Chairwoman Taylor noted that she has not yet received a response from Town Attorney on this matter.
6. **HMC 2022-2023 BUDGET REQUEST:** Chairwoman Taylor noted that it is a flat budget request for 2022-2023; following a request for volunteers to attend any meetings/provide any presentations to the Board of Selectmen or Board of Finance, it was determined that Eric Sundman and Sam Cargill will assist the HMC in this regard.

**OTHER:** Geoff Steadman provided an update regarding the Aquarion water diversion permit application which has been the subject of a DEEP Public Hearing, noting that an agreement has been reached between Aquarion and the Town and other interested parties whereby Aquarion has agreed to certain environmentally beneficial conditions as requested by the Town and the other interested parties and supported by the HMC.

The HMC reviewed a draft 2022 meeting schedule. Following discussion, Jac Herschler ***moved***, and Eric Sundman ***seconded*** to approve the draft 2022 meeting schedule, for the HMC to meet at 4:30 p.m. on the third Tuesday of each month. ***Motion passed unanimously.***

#### **NEW BUSINESS:**

1. **REPORT OF THE NOMINATING COMMITTEE:** Eric Sundman and Sam Cargill: Eric Sundman reported that the nominating committee recommends the following HMC Officers for 2022: Chair: Kim Taylor; Vice Chair, Jac Herschler; Secretary: Sam Cargill. Bill Perugini ***moved***, and Don Hyman ***seconded*** to approve the 2022 Slate of Officers as recommended. ***Motion passed unanimously.***

Former Harbor Master Pat Carroll was present via teleconference and thanked the HMC for the opportunity to participate in the meeting.

*Chairwoman Kim Taylor reminded the Commissioners that beginning in January, the 2022 monthly meetings will start at 4:30 p.m.*

**ADJOURNMENT:** There being no further business to come before the HMC, Jac Herschler ***moved***, and Bill Perugini ***seconded*** to adjourn at 6:42 p.m. ***Motion passed unanimously.***

The audio recording can be found here: [Harbor Management Commission - 12/21/21 - YouTube](#)

Respectfully submitted,

Betty Gabriel