

**Borough of Fenwick
Harbor Management Commission
Special Meeting – November 29, 2022**

The Special Meeting of the Borough of Fenwick Harbor Management Commission was held on Tuesday, November 29, 2022 at 4 Nibang Avenue, Borough of Fenwick and via Zoom.

MEMBERS PRESENT: Charles Renshaw, Bill Webster, Jim Wade (Alternate).

MEMBERS PRESENT VIA ZOOM: Sam Scatterday, Jonathan Gengras, Jamie Gay, Chip Gengras (Alternate)

MEMBERS ABSENT: Peter Duncan (Alternate); William Christensen, Harbormaster, ex officio.

OTHERS PRESENT: Marilyn Ozols, Land Use Administrator, Geoff Steadman, consultant.

1. Call to Order.

The meeting was called to order at 5:03 p.m. A quorum was established (Renshaw, Gay, J. Gengras, Scatterday, Webster).

2. Resident Comment.

None.

3. Draft Harbor Management Plan / Extension of Shoreline Planning Unit.

G. Steadman reminded the Commission that the Harbor Management Plan Addendum adopted in 2010 contained a provision for creating shoreline planning units, each with specific recommendations. At that time one planning unit, the Fenwick Proper Shore, was included. The intent now is to add to this and to extend the prohibition of water access structures in order to preserve the natural shoreline.

He stated that he is suggesting nine distinct planning units (see attached map):

1. Fenwick West Shore
2. Fenwick Proper Shore
3. Fenwick Pier Area
4. Fenwick East Shore
5. Lighthouse Shore
6. Folly Point Shore
7. Crab Creek and Wetland
8. North Shore
9. Cove Shore

He explained that this is more than the Commission had discussed previously because he is suggesting making the Fenwick Pier area and the Crab Creek/Crab Creek Wetland area their own discreet units. He indicated that he has provided preliminary recommendations for each unit as a basis for discussion; that he has not yet discussed the draft with Marcy Balint at DEEP; and that it may be helpful to add the various conservation areas. He noted that a prohibition on water access structures will be controlling on DEEP's decision on permit applications.

The Commission reviewed each suggested planning unit separately.

- **Fenwick West Shore**

1. Priority Harbor Management Objectives: *Manage access to and along the shoreline consistent with traditional shoreline uses and environmental conditions; preserve and, where feasible, enhance natural coastal resources, including, but not limited to, beach, wetland, and scenic resources.*
2. Old Fenwick Road Street End: *Manage for beneficial pedestrian access to the shoreline consistent with existing development, parking constraints, and limiting environmental conditions; prohibit boat launching.*
3. Fenwick West Wetland: *Encourage and support preservation and enhancement of freshwater wetland resources and values in accordance with a detailed plan based on best available scientific information, careful review of environmental and economic costs and benefits, and in a manner consistent with the existing conservation easement.*

Members requested that #2 be removed and discussed that #3 should address protection against breaches that might allow saltwater intrusion into the freshwater wetland.

J. Gay recommended that throughout the plan, wording should be devised that will make the plan more appealing for resiliency funding. Wording should also leave openings for resiliency projects that may be identified in the regional resiliency plan.

Members discussed whether docks should be prohibited in all planning units but agreed that there may be different recommendations for different units since areas like the pier and the Yacht Club should be treated differently. It was also agreed that there should be the ability to repair existing docks provided it is done in a timely manner.

- **Fenwick Proper Shore**

1. Priority Harbor Management Objectives: *Preserve the natural and traditional environmental values of the Long Island Sound shoreline; preserve the shoreline's natural coastal resources, including, but not limited to, beach and scenic resources, that provide ecological functions and public recreational values of special interest and much local significance.*
2. Water-Access Structures: *No docks, floats, piers, pilings, or other fixed and floating structures should be constructed to provide water access in this planning unit. Any access to and from the Harbor Management Area in this planning unit should be achieved only through nonstructural means, including, but not limited to, the use of dinghies and other hand-carried craft that may be launched from the beach.*
3. Shore Protection Measures: *Support timely repair and maintenance of existing flood and erosion control structures as necessary to protect existing development without significant adverse impacts on coastal resources.*

Relative to #3, G. Steadman stated that DEEP's current policy is to discourage new hard structures and instead encourage native based structures. He added that this language supports repair. Members requested that it be expanded to encourage and support measures to protect existing structures in light of sea level rise; this may require improving or expanding existing structures.

- **Fenwick Pier Area**

1. Priority Harbor Management Objectives: *Manage, maintain, and to the extent feasible enhance existing facilities providing opportunities for safe and enjoyable physical and visual access to the Harbor Management Area, consistent with traditional uses and*

environmental conditions and in accordance with an established facilities management plan.

2. Fenwick Pier: *Manage, maintain, and to the extent feasible, enhance for swimming, appropriate boating access, and enjoyment of water views; consider establishing a nearby restricted swim area as needed.*
3. Fenwick Beach And Playground: *Maintain for safe and enjoyable recreational use and waterfront access.*
4. Breakwater: *Restore and maintain as necessary for effectively protecting pier, beach, and playground areas from wave and storm impacts.*

Members requested that #4 be expanded beyond “maintain” to include “enhance” since the wave action analysis done for the living shoreline construction on the Hepburn Family Preserve indicated that the current breakwater primarily protects the area to the east of the pier and beach area. G. Steadman suggested supporting an engineering analysis of the breakwater to determine the best means for protecting the pier, beach, and playground areas. He also indicated the need to mention the small groin on the east side of the beach and that they may want to mention the concrete pad at the beach.

- **Fenwick East Shore**

1. Priority Harbor Management Objectives: *Preserve the natural and traditional environmental values of the Long Island Sound shoreline; preserve the shoreline’s natural coastal resources, including, but not limited to, beach, dune, wetland, and scenic resources, that provide ecological functions and public recreational values of special interest and much local significance, and with continued recognition of the special ecological significance of the Lynde Point sand dunes on the Connecticut coast.*
2. Water-Access Structures: *No docks, floats, piers, pilings, or other fixed and floating structures should be constructed to provide water access in this planning unit in the area from the Hepburn Dune Living Shoreline Area to the federal jetty. Any access to and from the Harbor Management Area in this planning unit should be achieved only through nonstructural means, including, but not limited to, the use of hand-carried craft that may be launched from the beach.*
3. Hepburn Lagoon: *Maintain fish and wildlife habitat value; encourage and support measures to maintain the highest level of water quality.*
4. Hepburn Dune Living Shoreline: *Encourage and support continued maintenance of the established nature-based shoreline elements to preserve and enhance coastal resources and provide “living shoreline” protection for the Crab Creek Wetland Conservation Area landward of the shoreline; continue to monitor environmental conditions and adjust the Living Shoreline Plan accordingly.*
5. West Jetty and Breakwater Light: *Encourage and support preservation and proper maintenance of the historic lighthouse structure and federal maintenance of the breakwater as necessary.*
6. Transient Anchorage: *Provide space for short-term use (not over 24 consecutive hours) by visiting recreational boaters with no interference with the restricted swim area and without any waterfront boating support facilities.*
7. Restricted Swim Area: *Maintain in accordance with existing state authorization.*

Members discussed whether #2 should include the proposed restriction to hand-carried craft and determined that the language should stay as proposed.

#4 will be changed to Hepburn Family Preserve Living Shoreline.

Member agreed that #6 should be eliminated even though it might discourage boats from the lighthouse and swim areas.

Regarding #7, they indicated that the language should be broadened so as not to preclude expansion of the swim area to address the shallow water created by sand accretion.

- **Lighthouse Shore**

1. *Priority Harbor Management Objectives: Preserve the natural and traditional environmental values of the Connecticut River shoreline; preserve the shoreline's natural coastal resources, including, but not limited to, beach and scenic resources that provide ecological functions and public recreational values of special interest and much local significance.*

2. *Water-Access Structures: No docks, floats, piers, pilings, or other fixed and floating structures should be constructed to provide water access in this planning unit in the area from the federal jetty to the Federal lighthouse properties. Any access to and from the Harbor Management Area in this planning unit should be achieved only through nonstructural means, including, but not limited to, the use of hand-carried craft that may be launched from the beach.*

3. *Federal Lighthouse Properties: Encourage and support long-range planning needed to help ensure that any future re-use of properties occurs in a manner consistent with the natural and traditional character of the shoreline.*

Members discussed whether #3 was necessary, but made no changes in the section.

- **Folly Point Shore**

1. *Priority Harbor Management Objectives: Preserve the natural and traditional environmental values of the Connecticut River and South Cove shorelines; preserve the shorelines' natural coastal resources, including, but not limited to, wetland, beach, and scenic resources that provide ecological functions and public recreational values of special interest and much local significance.*

2. *Water-Access Structures: No docks, floats, piers, pilings, or other fixed and floating structures should be constructed to provide water access in this planning unit. Any access to and from the Harbor Management Area in this planning unit should be achieved only through nonstructural means, including, but not limited to, the use of hand-carried craft that may be launched from the shore.*

3. *Derelict Structure Removal: Encourage and support environmentally sound removal of any currently non-functional in-water structures.*

4. *Mooring Locations: Manage limited mooring locations in South Cove with recognition of shallow water depths and lack of waterfront access facilities.*

Members discussed #3, noting that this language is not included in other sections that may have structures that could become derelict and that the language should not preclude timely repair of storm damaged structures. G. Steadman reviewed the general policy in the Harbor Management Plan and it was agreed to rely on this general policy and not include language here or elsewhere in this addendum.

- **Crab Creek and Wetland**

1. Priority Harbor Management Objectives: Preserve and enhance intertidal resources and ecological functions and values, including fish and wildlife habitat and storm water detention and filtration functions, and scenic quality.
2. Crab Creek Wetland Restoration Area: Recognize the Crab Creek Wetland Conservation Area as an intertidal resource area of special ecological significance on the Connecticut coast. Continue to restore any previously degraded intertidal resources in accordance with the established restoration plan based on best available scientific information. Maintain sufficient tidal exchange (tidal prism) needed to support viable intertidal habitat; encourage and support measures to achieve and maintain the highest reasonably attainable water quality, including measures to avoid and reduce runoff pollution into the creek and wetland. Continue to monitor environmental conditions and adjust the restoration plan accordingly.
3. Hand-Paddled Navigation: Support hand-paddled navigation on the creek to the extent such activity does not adversely impact ecological resources and values.

G. Steadman stated that he will add language relative to maintaining the Crab Creek Bridge along with the proper flow of water under it; he will also reference the conservation easement.

- **North Shore**

1. Priority Management Objectives: Preserve the natural and traditional environmental values of South Cove; preserve the shoreline's natural coastal resources, including, but not limited to, tidal wetland and scenic resources, that provide ecological functions and public recreational values of special interest and much local significance.
2. Boat Mooring and Anchoring: Manage limited mooring locations in South Cove with recognition of shallow water depths and lack of waterfront access facilities.
3. Fenwick Yacht Club: Manage, maintain, and to the extent feasible, enhance for boating access to South Cove and the Harbor Management Area in accordance with an established facilities management plan.

Members discussed the Fenwick Yacht Club with the intent to make sure that the language does not preclude expansion and that it encourages continued opportunity for moorings and boating access.

- **Cove Shore**

1. Priority Management Objectives: Preserve the natural and traditional environmental values of South Cove; preserve the shoreline's natural coastal resources, including, but not limited to, wetland and scenic resources, that provide ecological functions and public recreational values of special interest and much local significance.
2. Water-Access Structures: No docks, floats, piers, pilings, or other fixed and floating structures should be constructed to provide water access in this planning unit.
3. Route 154 Causeway: Maintain opportunities for scenic views of the Harbor Management Area, fishing, walking, and bicycling; avoid adverse impacts, including water quality impacts, on South Cove as may be caused by roadway and bridge repairs and maintenance; maintain causeway opening free of obstruction to navigation; designate navigation fairway as necessary.

4. Grove Conservation Area: Manage and maintain for passive recreational activities enhanced by proximity to South Cove in a manner consistent with the existing conservation easement and an established open space management plan.

No changes were recommended for this unit.

G. Steadman stated that he will make the changes discussed, will circulate the revised language to the Commission, will next review the proposed language preliminarily with DEEP, and will then craft the document in narrative form. That document will need to be referred to DEEP and the CT Port Authority before being presented to the Burgesses. The goal will be to bring the full document to public hearing during the summer.

G. Steadman stated that he will complete the revisions by the end of the year. The Commission will schedule a meeting for early January to review the revised document.

Members stated that they should start talking about projects and developing a prioritized list in order for this document to support those projects. This list should be coordinated with the Hazard Mitigation Plan that is currently being updated and the Regional Resiliency Plan that is being developed. G. Steadman stated that he can add a preliminary list of site specific projects to the document.

4. Pier Repair / Crab Creek Bridge Repair Update.

M. Ozols reported that Harbor Engineering from Barrington, Rhode Island submitted a proposal to

- assess the condition of Crab Creek Bridge and repair a report that includes a narrative, a site plan identifying areas of concern, and pictures of current conditions;
- assess the fourth tee box seawall and conduct a partial topographic survey of the area, and develop a site plan with proposed construction detail to reduce the number of sinkholes caused by retained sediment leaching out between the seawall's stones;
- subcontract a commercial diver to help complete a "Routine Inspection" of the pier structure including the main pier and pier head, focusing on both the underwater and topside components of the structure, and prepare a report that summarizes its findings and includes photos of the conditions found during the inspection, field sketches that identify the locations where areas of concern were identified and offers next steps including repair options and associated costs;
- prepare a maintenance application (General Permit, not COP) to DEEP.

The Burgesses have approved this work pending legal review of the contract.

5. Derelict Dock Update.

C. Renshaw stated that he had heard from Fran Adams who reported that he had contracted with CT Dock and Dredge to remove the dock; the work will be done during the month of December in coordination with other work that Dock and Dredge is doing at Saybrook Point Marina.

6. Approval of Minutes of Previous Meeting (August 23, 2022).

J. Gengras moved to accept the minutes of the August 23, 2022 meeting as presented. S. Scatterday seconded the motion and it was approved unanimously.

For: Renshaw, Gay, J. Gengras, Scatterday, Webster.

Against: None.

Abstained: None.

7. Harbor Master Report.

W. Christensen was not present.

8. Other Business.

J. Gay requested that the Commission ask B. Christensen, Harbor Master, to look into the moorings on the south shore that do not appear to be permitted.

9. Adjournment.

J. Gengras moved to adjourn the meeting at 6:55 p.m. S. Scatterday seconded the motion and it was approved unanimously. (Renshaw, Gay, J. Gengras, Scatterday, Webster)

Respectfully submitted,

Marilyn M. Ozols
Acting Recording Secretary

Borough of Fenwick
Harbor Management Plan
2022 Plan Update

Figure 3:
Shoreline Planning Units

