

**Borough of Fenwick
Harbor Management Commission
Special Meeting – September 26, 2015**

The Special Meeting of the Borough of Fenwick Harbor Management Commission was held on Saturday, September 26, 2015 at 9:00 a.m. at 4 Nibang Avenue.

MEMBERS PRESENT: Jamie Gay, Frank Keeney, Sam Scatterday, Charlie Robertson, Charlie Renshaw (Alternate).

MEMBERS ABSENT: Sam Jones, Jonathan Bulkeley (Alternate).

OTHERS PRESENT: Fran Adams, Warden; Bill Christensen, Harbor Master; Marilyn Ozols, Land Use Administrator.

1. Call to Order.

Chairman Gay called the meeting to order at 9:07 a.m. C. Renshaw was seated as a voting member and a quorum was established (Gay, Keeney, Scatterday, Robertson, Renshaw).

2. Introduction of Members.

Charlie Robertson, Jr. was welcomed to the Commission.

3. Election of Officers.

F. Keeney moved to nominate J. Gay as Chairman of the Harbor Management Commission, S. Scatterday as Vice Chairman, and C. Renshaw as Secretary. C. Renshaw seconded the motion and it was approved unanimously.

For: Gay, Keeney, Scatterday, Robertson, Renshaw.

Against: None.

4. Approval of Minutes of Previous Meetings (February 28, 2015).

F. Keeney moved to accept the minutes of the February 28th meeting as submitted. S. Scatterday seconded the motion and it was approved 4-0-1.

For: Gay, Keeney, Scatterday, Renshaw

Against: None

Abstained: Robertson

5. Hunting Below the High Tide Line.

J. Gay reported that he had spoken with Min Huang of the Migratory Bird Hunting section of DEEP and that he had also attended their annual meeting in August where the rules and regulations for the coming year were discussed. He stated that most of the migratory bird hunting is inland; waterfowl hunting, and in particular sea duck hunting, is in decline. He added that it is likely that the waterfowl season, which runs from late September through January 15, will be closed in coming years. As far as closing a certain area to hunting, DEEP uses specific criteria - either the physical setting creates a reasonable risk of violation or there is a record of complaints / violation frequency. Members recalled the incident in January, 2015 (where the hunters were legal because they were below the high tide line and more than 250 feet from a residence) and discussed their concerns relative to the proximity of hunters to residents, possible intimidation residents might feel, proximity of a travelled road to the high tide line, and conflict with the Fenwick Ordinance prohibiting hunting. They considered sending a letter to DEEP expressing concern based on the proximity of houses and a travelled road, but deferred this until the next meeting in order to allow time for more research and to see if there were any additional incidents this season.

Members also noted that there has been an increase in the number of geese in the Borough, which will likely create maintenance issues. J. Gay noted that the regulations address migratory geese and resident geese differently.

6. Dock Prohibition.

J. Gay reported that he had spoken with Geoff Steadman, the consultant for the Harbor Management Plan, about the feasibility of extending the “Fenwick Proper Shore” Planning Unit. G. Steadman indicated that drafting an amendment to extend the planning unit or create a new one would be easy to do. The full process requires any proposed amendment to be reviewed by the Army Corps of Engineers, approved by the Commissioners of CT DEEP and CT DOT and then approved by the Burgesses. F. Keeney noted that at the time the planning unit was created, it was assumed that this would be the only feasible area for dock construction but it is clear that this is not necessarily the case. Members discussed extending the planning unit to all or some of the remainder of the Borough, both along Long Island Sound and up the river, for the purpose of protecting the character of Fenwick; considered the impact on the riparian rights of both current and future property owners; and noted that there are docking options at both the pier and the Fenwick Yacht Club. J. Gay will obtain an estimate from G. Steadman on the cost of preparing a HMP Amendment; F. Keeney will bring up the subject at the next Burgess meeting in order to obtain their input; and the subject will be carried on the next HMC agenda.

7. Breakwater.

F. Keeney reported that redoing the breakwater to its original height and configuration is included in the Borough’s capital plan for the future, but, because of the cost, will not happen in the near future. DEEP permits have been obtained and have not expired. Members noted that the assessments of the benefit, in particular to Borough assets, of redoing the breakwater were contradictory when engineering studies were done for the pier and beach areas. F. Adams noted that the state is changing its position on hard structures and is now considering hybrid structures, especially in recognition of climate change and sea level rise, and added that there may also be some funding in the future to support activities such as the breakwater. He stated that the Shoreline Committee is also looking at the breakwater, but the HMC should continue to look at it.

8. Other Business.

Dredging.

S. Scatterday stated that the Army Corps is dredging North Cove, which is a hurricane refuge, and asked about the possibility of adding in South Cove. He noted that the channel is silting in, which will limit boating. B. Christensen stated that mean low water should be at least at 3 feet and it is now at 1 foot. Members discussed sending a joint letter from the Harbor Master and the Harbor Management Commission Chair but agreed to first contact Jim Mitchell from Old Saybrook about the process for qualifying for dredging. They noted that dredging will serve a public good in that the waterway is available to the public and increased flow may create some positive ecological benefit to North Cove.

Police Boat.

S. Scatterday stated that there had been no Old Saybrook police boat on the river this summer and there was a need for one. The Harbor Master and HMC Chair will draft a letter to Old Saybrook in order to go on record as supporting the need for a police boat. The Warden will include this subject in discussion with the First Selectman.

C. Renshaw left the meeting during this discussion.

Derelict Boat.

B. Christensen requested confirmation that he should proceed with addressing the derelict boat on the Schmitt property – removal and reimbursement of cost from the last registered owner. Members concurred that he should proceed.

Swim Area.

B. Christensen discussed the requested swim area in front of Haviland and Navarro. It was noted that this was supported by all the residents in the area except Jarvis and that the HMC had previously supported application for a DEEP permit. B. Christensen will work with the residents on the application.

Moorings.

B. Christensen reported that there has been a huge increase in recreational boating in the Borough but the moorings in the river have maxed out. He discussed adding a float or two at the Yacht Club to extend farther out into the river since the area has silted in. Members agreed that if the area is not dredged, a longer dock will not matter and they should first pursue the possibility of dredging.

Yacht Club.

B. Christensen stated that he would like to run electricity to the Yacht Club for emergency use but needs to cross LPLT property and the LPLT has been reluctant to allow it. Members supported running electricity that would be limited to emergency use.

B. Christensen also noted that they had added battery operated security lighting this year and were cleaning up the area.

Pier.

F. Keeney stated that a “bandaid” repair of the west side of the pier was performed this summer and it weathered the summer well. The Commission continues to support full repair in the long term but agreed with deferring it for another year because of the cost.

Next Meeting.

F. Keeney suggested that the HMC meet again within the next 60 days.

Yacht Club Clean-Up.

B. Christensen reminded all that the Yacht Club Clean-Up was scheduled for Columbus Day weekend after Long Ball.

9. Adjournment.

S. Scatterday moved to adjourn the meeting at 10:48 a.m. C. Robertson seconded the motion and it was approved unanimously. (Gay, Keeney, Scatterday, Robertson)

Respectfully submitted,

Marilyn M. Ozols
Acting Recording Secretary