

**MINUTES OF THE SPECIAL MEETING OF THE BOARD OF WARDEN AND  
BURGESSES FRIDAY, OCTOBER 6, 2017 AT 4 NIBANG AVENUE, FENWICK,  
CT.**

**Present:** Warden Newt Brainard, Frank Keeney, Arthur Wright, Jonathan Gengras, Peter Brainard, Jr. Pamela Christensen, ZEO Marilyn Ozols.

**Not Present:** David Savin, Robert Gay.

**Others Present:** Jessica Gay

The Warden called the Meeting to Order at 4:03 PM.

The Warden asked for a Moment of Silence to remember Resident Steve Munn who passed away last week.

The Warden then introduced and welcomed Jeff Champion the new hire for the General Manager Position. He will be starting on October 16<sup>th</sup> but has already spent time with Larry DeBlasiis and with ZEO Marilyn Ozols and Rita Barrett, Office Manager.

The Warden then opened the Floor for Public Comment. There were no comments.

**Approval of the Minutes**

**A Motion was made by Jonathan Gengras seconded by Frank Keeney to approve the August 31, 2017 Minutes as presented.**

Art Wright asked that under the General Manager's Report that the word "addressing" should be replaced with "discussing" when referring to issues surrounding VRBO with the Planning and Zoning Commission.

**PASSED UNANIMOUSLY.**

**Treasurer's Report**

Bob Gay was not at the Meeting. The Warden had no financial reports however he did mention there was still one delinquent tax bill.

**Board, Commission, and Committee Reports**

**Planning and Zoning:**

\*A Meeting was held on September 26 and the Commission elected Officers: Chairman-Chuck Chadwick, Vice Chairman-Arthur Wright, Secretary-Sally Boody. Approvals with stipulations were given to the Gengras and Keeney residences.

\*Due to the number of residences applying for generators and air conditioners it was decided that applications and approvals should become an administrative function for the ZEO. If an issue arose it would be referred to the Commission.

\*Short Term rentals were discussed. Art Wright reported that there were a myriad of opinions and that the Commission did not feel that they had a clear mission from the Burgesses or the Community to further discuss regulations at this time.

\*There will be a Public Hearing tomorrow concerning the Plan of Conservation and Development. All the required referrals were made with the RiverCOG responding that they felt the Plan was not inconsistent with the State PoCD and the Plans of surrounding Towns. The Plan is on the website for Residents to review.

### **Park Commission**

\*September Golf Course Revenues are up compared to last year. Also noteworthy is the number of golfers has increased while the numbers of golfers nationally has decreased.

\*Season ticket Holders Renewal Letters should be going out in the next month. A discussion surrounding “guest privileges” and the need to tighten the Policy took place. The Park Commission will discuss the issue with the intent to limit the number of times (3) a guest may play with any Season ticket holder. There are 70 “A” Season ticket holders and 80 “B” Season ticket holders and neither group reached the cap this past season.

\*Frank Keeney and Daryl Aresco toured 4 Nibang with the Lynde Trust representative and determined what type of product could be dumped behind the building. In addition, Daryl has set up areas near the Maintenance building to collect other material that cannot be composted.

\*Frank Keeney was approached by Tom Ryder about the possibility of adding an additional hole to the Ryder Course. It was determined that the Park Commission should meet to discuss the idea and decide if it makes sense and examine what would happen to the operating expenses for the Ryder Course if another hole were added.

### **LPLT**

\*Pam Christensen reported that the Trust met two weeks ago. They are in process of reformatting their letter for their annual fundraising appeal.

\*There was discussion concerning drones in Fenwick and they are going to conduct research into other communities to see how they are regulating or not allowing them in their Community.

\*Due to the anticipated costs of the Hepburn Dune Project, LPLT will renew efforts to look into Grants that may be available to defray expenses for the Project.

### **Concern and Safety Committee**

Pam Christensen and Jonathan Gengras reported that they have contacted all the potential members of the Committee except for two people. They hope to have a phone meeting within thirty days and come up with a Mission statement. Again, it was reiterated that this Committee's role is to develop options for the Borough not to advocate or recommend solutions.

### **Historic District Commission**

Marilyn Ozols reported that there were several minor applications. Twenty four Agawam was approved to be demolished and a new home approved to be built.

### **Harbor Management Commission**

\*Issues discussed at the last Meeting and to be discussed at a later Meeting:

- The Burgesses should review and discuss repairing the South portion of the Pier.
- The Committee is planning to meet with Geoff Stedman to discuss extending the no Pier regulation to areas in addition to the current west side of the Pier to the Shenkman residence.
- Review and Discuss the Hepburn Dune Project.
- Marilyn Ozols reported that GZA has applied for a CIRCA grant for the cost of the design phase of the Dune Project once an option is chosen by the Borough.
- The Warden would like to have Dan Stapleton from GZA, who has spoken to the Burgesses at a previous meeting, come to speak to the Community to discuss the Hepburn Dune Project for the Community to be fully informed of its impact to the Borough.

### **Zoning Board of Appeals**

Marilyn Ozols reported that the current owner of 10 Mohegan petitioned the court to withdraw the ZBA appeal and withdrawal was approved by the Court.

### **FIF**

Arthur Wright reported that FIF is preparing a fundraising letter for the Fall. The Committee believes that after reviewing the results from the survey conducted this summer that there is some confusion in the Community concerning the different Borough projects. Also, hard copies of the surveys will be sent to individuals that may not be comfortable using a computer to fill out the survey.

### **Wardens Report**

\*A Warden's letter to the Community will be sent out next week.

**\*Attorney Update:**

\*Frank Keeney and the Warden met with Borough Counsel to discuss the working relationship and how it needed to improve in terms of timeliness of work and responsiveness to calls. Mr. Hudson felt that his performance would improve and when necessary he would have his Partner assist with the workload. The Warden gave a list of items to be completed with dates and thus far Mr. Campbell has met the deadlines. Frank Keeney concurred with the Warden in terms of Mr. Hudson being receptive and responsive to the Boroughs issues.

\*Mr. Hudson completed the land transfer in front of the Wilson Residence. The deed restriction has been modified down at the Pier to allow the tree and the Port o Potty seasonally and the lattice to be a permanent structure. The Elector Form has been approved to require certification that the Voter is stating the truth. He will review the Hammer law to outlaw exterior painting and installation of landscaping. Finally, he is reviewing how to assess penalty fees for individuals who are chronically breaking the Hammer Law and if the Beach could be organized like a club similar to the Fenwick Yacht Club.

\*The Warden discussed the necessity of having the FYC lease signed.

\*The Warden reported the following update concerning David Savin's request of certain past issues:

-The issue surrounding the lot in the Maintenance Area was discussed with Mr. Hudson. It was determined that a discussion would have to take place with Peter Bulkeley to investigate whether the lot could be sold as the reversionary rights are with Fenwick Hall Company which no longer exists. Jessica Gay noted that the land trust attorney representing the LPLT feels differently about the property and thus it was decided that the two Attorneys should meet and discuss. The Warden requested that this Meeting should take place within thirty days.

\*Frank Keeney received a request from a property owner that may be interested in purchasing Borough land adjacent to their property. Frank will look further into the request and report back to the Burgesses.

\*The Park Monitor finished his work last weekend and the Warden requested comments and thoughts about the individual and his work. Burgesses felt there should be a reporting mechanism in place for incidents that he deals with on the job and thought he was effective in turning people away at the Beach when he was at the gate. It was decided that he may be effective discouraging fisherman from going to out to Folly Point from 6-7:30 PM in the next few weeks. The issue of the fisherman in the Borough has become a real problem and needs to be actively dealt with next season. Finally, it was decided to fold the Park Monitor position into the Park Commission for better control and to be more actively managed.

**Other Issues:**

The Warden had a request to the read the following letter to the Burgesses:

To the Warden and Burgesses

Enforcement of Fenwick Zoning Ordinances regarding Single Family Homes

There have been numerous violations of the ordinance over the past few years, especially when homeowners have rented short term to multiple non-related families. People have splitting the high Fenwick rents among three or four families to save money. This disrupts the neighborhoods and causes over crowding of people and cars on these single family lots. It is not fair to the neighbors who want to enjoy their summer in peace and quiet.

I would like the Warden and Burgesses and Zoning Enforcement Office to look into this problem and to enforce the single family zoning that we enjoy here in Fenwick.

Sincerely,  
Peter B. Brainard

The Warden requested ZEO Marilyn Ozols to research other communities to see how they are regulating Short term rentals. A Public Meeting in the Spring to discuss the issues and alert residents should be considered.

Frank Keeney reported that the owner of T & M Golf Carts Company is recuperating after an illness. He also reported that he is a candidate for a position on the Old Saybrook Police Commission.

Next Meeting: November 13, 2017 at 4 PM

**There being no further business a Motion was made by Jonathan Gengras seconded by Frank Keeney to close the Meeting at 6:15 PM.**

Respectfully Submitted,

Julie G. LeBlanc, Clerk