

**Borough of Fenwick
Harbor Management Commission
Special Meeting – August 16, 2016**

The Special Meeting of the Borough of Fenwick Harbor Management Commission was held on Tuesday, August 16, 2016 at 4 Nibang Avenue.

MEMBERS PRESENT: Jamie Gay, Charlie Robertson, Charlie Renshaw, Sam Jones, Wayne Arute (Alternate).

MEMBERS ABSENT: Sam Scatterday, Jonathan Bulkeley (Alternate), Chip Gengras (Alternate).

OTHERS PRESENT: Frank Keeney, Burgess Liaison; Marilyn Ozols, Land Use Administrator; Bill Webster.

1. Call to Order.

Chairman Gay called the meeting to order at 6:03 p.m. W. Arute was seated as a voting member and a quorum was established (Gay, Jones, Robertson, Renshaw, Arute).

2. Resident Comment.

At this time the Chair opened the floor to resident comment. No one spoke.

3. Approval of Minutes of Previous Meeting (July 5, 2016).

C. Robertson moved to accept the minutes of the July 5, 2016 meeting as submitted. S. Jones seconded the motion. After discussion, the motion was amended to approve the minutes of the July 5, 2016 meeting with the correction of the word “Ranger” to “Monitor” in item 8, and it was approved unanimously.

For: Gay, Jones, Robertson, Renshaw, Arute

Against: None

Abstained: None

4. Harbor Management Plan – Extension of Shoreline Planning Unit.

J. Gay reported that he had contacted Geoff Steadman and reviewed his response with the Commission, noting that he recommended identifying additional planning units rather than extending the existing one; that he estimated approximately 40 hours of work (which included a site visit, a meeting with the Commission, and some DEEP time) at \$75, totalling about \$3000; that this amount could increase if there was opposition or there were issues at DEEP. Members noted that the current unit includes about 1800 feet of shoreline with about 14 homes and there are no pile supported piers in this area. The areas not currently in the Planning Unit include east of the west side of the pier, the river, South Cove, and the area from Walton/Shenkman to the west boundary of the Borough. They suggested adding the areas east and west of the current unit to that unit and considering the river and the cove as separate units. Separate units would allow some variation in standards if deemed appropriate.

Members discussed again whether the Commission has the authority to impose regulations that affect a property owner’s riparian rights. When the current Planning Unit was established there were no docks or piers in the area and none of the owners objected. It was noted that there is a prescribed process involved in creating a planning unit and that it would need to be established by ordinance; G. Steadman could speak to the process and to his experience with property owner concerns. If members wanted assurances about the legality of the process, they would need to address that question to an attorney and seek a specific legal opinion. Members agreed that G. Steadman should be invited to their next meeting to discuss the process with them and that they should have individual, informal conversations with the

various property owners to gauge their reaction. J. Gay will contact G. Steadman, preferably for a Saturday meeting in September.

5. Old Business

a. Pier / Pier Signage

New signs have been posted at the pier: 15 minute docking limit on the west side; no docking 9 – 5 on the east side; shallow water warning at the end of the pier; and no diving at the raft and pier.

There was a request to change the anchors to Dor-Mor anchors for safety reason. These have been on backorder but are expected to be in place for the 2017 season. People have been warned about the current anchors.

S. Jones stated that he had looked at the pier and felt the boards on the west side need work but the front of the pier looks like it will be okay with regular maintenance. It was noted that there hasn't been a storm since the Sandy repairs so the current unprotected front has not faced a hurricane. It was also noted that the Borough needs to stay ahead of the pointing and that any wave boards will be bolted to the pilings only. C. Robertson clarified that the west is still prioritized over the front and members agreed that this was the case based on the usage and current condition. The General Manager has been asked to obtain current cost estimates; the pier repair remains on the Capital Project list with a higher priority than the breakwater. C. Robertson suggested driving steel piers, which would be camouflaged, on the front, but there was concern that this may not be consistent with the current permit. C. Robertson asked whether the dock could be returned to the old 18" level when the work is done. This could be considered; HMC will have a chance to review the plans prior to construction. (S. Jones left the meeting during this discussion.)

b. Breakwater / Borough Capital Plan

The breakwater remains on the Capital Plan, but down the list.

c. Sequassen Avenue dune restoration

W. Webster reported that the committee appointed by the Warden is in the process of planning for restoration of the dune along Sequassen Avenue that was destroyed by Sandy and Irene and it has reviewed several iterations. Funds are currently available to restore the dune to about a 3' – 4' height at a cost of about \$55,000. There have been several onsite visits including one with Sue Bailey of DEEP who has agreed that the work is above the Coastal Jurisdiction Line (CJL) and out of DEEP jurisdiction. Jeff Jacobson, engineer, is developing expanded plans and the Committee hopes to get approvals this fall with possible work in the spring. W. Webster was reminded that this should include an application to P&Z. There is also a possibility that the plans may be expanded or grouped with other projects with the intention of obtaining additional funding.

W. Webster also distributed information on a Living Shorelines Design Charrette on September 15 at Harkness Memorial State Park where participants will design a living shoreline for the on-site beach/dune, bluff or tidal wetlands system. The designs will then be critiqued from a regulatory perspective by a panel of municipal, state and federal officials. The goal of the charrette is for participants to gain a better understanding of living shoreline designs and what will and will not be permitted in Connecticut. He hopes to attend and invited others to also attend. He also distributed information on UCONN's MAGIC website which has historical pictures of the changing shoreline.

d. 6 Mohegan Avenue DEEP permit

M. Ozols reported that DEEP had issued the General Permit for the dock at 6 Mohegan. She spoke with Sue Bailey of DEEP prior to issuance and DEEP had referred to HMC's minutes and attached similar conditions to its permit. DEEP has a policy not to issue a permit for more than one dock on a property. Therefore, because the existing dock used by 10 Mohegan was actually on the 6 Mohegan lot, a small

property transfer was needed before the permit could be issued. The Borough will be receiving a copy of the permit which will also be filed on the Old Saybrook Land Records.

6. Harbor Master Report.

No report.

7. Other Business.

None.

8. Adjournment.

C. Renshaw moved to adjourn the meeting at 7:30 p.m. C. Robertson seconded the motion and it was approved unanimously. (Gay, Robertson, Renshaw, Arute)

Respectfully submitted,

Marilyn M. Ozols
Acting Recording Secretary