

**Borough of Fenwick
Harbor Management Commission
Special Meeting – November 21, 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; Marilyn Ozols, Land Use Administrator; Bob Gay, Sue Webster.

1. Call to Order.

Chairman Gay called the meeting to order at 9:04 a.m. C. Renshaw was seated as a voting member and a quorum was established (Gay, Keeney, Scatterday, Robertson, Renshaw).

2. Approval of Minutes of Previous Meetings (September 26, 2015).

F. Keeney moved to accept the minutes of the September 26th meeting as submitted. S. Scatterday seconded the motion and it was approved unanimously.

For: Gay, Keeney, Scatterday, Robertson, Renshaw

Against: None

Abstained: None

3. Crab Creek Bridge.

The permit for bridge repairs was received on 12/14/2009 and expired on 12/14/2012. The work authorized under this permit has been completed. Further work to classify the bridge as “permanent” and shore up the existing abutments will require another COP request, which is being handled by Harbor Engineering and is currently in process. S. Bailey from CT DEEP met with L. DeBlasiis, M. Ozols, and Gus Kruzekamp of Harbor Engineering at the site on October 22. She agreed that only one COP will be necessary but that sufficient detail needs to be attached to the request to define the methodology that will be used to repair the existing abutments. She felt that as long as the waterway under the bridge was not made any smaller there should be little issue with getting the request approved. Once the plans are complete, they will go to the Board of Warden and Burgesses who will refer them to HMC for comment.

B. Gay inquired about the need for regular engineering inspections once the work is completed and stated that he was hopeful that this could be performed by staff and it would not be necessary to hire an engineer.

4. Old Business

a. Hunting Below the High Tide Line.

J. Gay presented a draft letter to DEEP as was discussed at the previous meeting. The intent was to be on record, not to request any specific action. Goal 7 and Subset 7.3 in the Harbor Management Plan can be cited to support the prohibition of hunting even though DEEP has not documented any problems. Members noted that no one was aware of any issues since the one in January, 2015; there had not been a problem in the fall when there were more residents around; and the state would likely not be permitting migratory hunting in the future.

F. Keeney moved that the HMC will keep the draft letter to DEEP relative to hunting below the Coastal Jurisdiction Line in the Borough of Fenwick on file for future reference. S. Scatterday seconded the motion and it was approved unanimously.

For: Gay, Keeney, Scatterday, Robertson, Renshaw

Against: None

Abstained: None

b. Dock Prohibition.

J. Gay reminded members that the issue was the extension of the Shoreline Planning Unit. He added that he did not yet have a cost estimate from Geoff Steadman. F. Keeney stated that it had not been discussed at the Burgess meeting.

Members discussed the subject and noted that

- Long Beach has historically been a swimming area and there is interest in protecting the area east of the pier for swimming. Boat traffic on the east side of the pier has already been deterred by the improvements to the pier and the shallow water.
- The Yacht Club is too small to accommodate all boats so there will likely be a future need to allow boats in other areas. The HMC should not enact a regulation that prohibits construction of an appropriate facility to accommodate water activity in the Borough.
- The water depth on the Long Island side of Fenwick would render a dock nonfunctional in most instances so it would be more appropriate to extend the planning unit in this area.
- Dock prohibition and water access are two different issues. If docks are prohibited on private land, there is a need to ensure adequate public access.
- Fenwick has three shorelines: Long Island Sound, the Connecticut River, and South Cove.
- Any extension of the Shoreline Planning Unit should serve the same purpose as the original, which was primarily aesthetic – to prohibit a negative impact on the historic waterfront by the construction of new docks and piers.
- The appropriate focus of an extension of the Shoreline Planning Unit is the Long Island shorefront and not the river or cove.

J. Gay will obtain an estimate from G. Steadman on the consultant cost for work related to extending the Shoreline Planning Unit. Discussion will continue at the next HMC meeting.

c. Breakwater.

A DEEP permit was received on 8/4/2014. The expiration date is 8/4/2017 and a one year extension can be requested. Members agreed that the breakwater protects the shoreline and helps ensure the sandy beach and dunes, which is fundamental to the ecology and culture of Fenwick; and if the breakwater deteriorates too much, it may be difficult to get a new approval for repair. F. Keeney reminded members that the west side of the pier is also still pending as a capital project as is the face of the pier. Members ranked the pier number one and the breakwater number two in priority. F. Keeney will coordinate with the General Manager to ensure inclusion of the three projects in the capital plan.

d. Dredging.

F. Keeney reported that he had spoken with Scott Mitchell, Old Saybrook Harbor Master, and the North Cove dredging has been moved to next winter. He noted that it will not be possible to tie South Cove in with this project or obtain federal funding since North Cove qualifies as a safe harbor and this is not the case for South Cove. Since it appears that any dredging in South Cove will be up to the Borough, F. Keeney will ask the General Manager to get an estimate of the cost for dredging (including disposal). The consideration was for dredging to at least the depth before Sandy.

B. Gay indicated that the Living Shoreline Committee may be interested in the material dredged from North Cove. It was agreed that this is not an HMC issue but will be up to the Living Shoreline

Committee to pursue. It was noted that any final plan that the Committee proposes will need to be referred to HMC. J. Gay is a member of the Committee and will coordinate information.

e. Old Saybrook Police Presence on the Water.

J. Gay submitted a draft letter to Old Saybrook for review. Members noted that in addition to the lack of a police presence on the water, there is an issue with the markings and location of the no wake area on the river. The letter will be revised to note the lack of enforcement during the 2015 summer season, endorse an Old Saybrook expenditure to ensure a presence in 2016, and go on record as recommending that the no wake zone bordering Fenwick should be extended.

C. Renshaw left the meeting during this discussion.

f. Swim Area at Haviland/Navarro.

It was clarified that the area involved is from Patterson to the breakwater. B. Christensen indicated at the last meeting that he would work on this with the property owners. No additional action on the part of the HMC is required at this time.

g. Moorings.

Discussed under Dredging.

h. Yacht Club.

It was reported that the LPLT, which holds the easement on the property, is willing to listen to a proposal to install electricity for emergency use, but not for everyday public use. The Borough, as property owner, will also need to sign off on any proposal. The Harbor Master will need to prepare a formal proposal that includes how electricity will be installed and how the Yacht Club will be responsible for the cost. It was suggested that it may be more feasible for the Yacht Club to purchase a small generator to keep on the site for emergency use.

5. Harbor Master Report.

The Harbor Master was not present.

6. Other Business.

F. Keeney stated that there had been a presentation at the last Burgess meeting by the Chairman of the Old Saybrook Sea Level Rise and Climate Adaptation Committee. He noted that the committee's final recommendations will be submitted by the end of the year and he encouraged HMC members to view the presentation on the website.

7. Adjournment.

F. Keeney moved to adjourn the meeting at 10:55 a.m. S. Scatterday seconded the motion and it was approved unanimously. (Gay, Keeney, Scatterday, Robertson)

Respectfully submitted,

Marilyn M. Ozols
Acting Recording Secretary