

**CITY OF NORWALK  
HARBOR MANAGEMENT COMMISSION/APPLICATION REVIEW COMMITTEE MEETING  
COMBINED MEETING  
APRIL 28, 2021**

**ATTENDANCE:** John Romano, Chairman; John Pinto, Chairman Application Review; Dennis Santella; John Crespo; Matt Gifford; Laurie Jones; Alan Kibbe; Christopher MacDonnell;

**OTHER:** Michelle Andrzejewski; Joseph Schnierlein; Andrew Ballas; Andy Davis; Chris Samorajczyk; Christian Brown; Julie Georges; Kevin Carifa; Kim Lesay; Lauren Digovanni; Liz Suchy; Nick Granata; Richard Bertoli; Steven Bartush; Vlad Kaminsky; Geoffrey Steadman; Tom Ryder; Wesley Oliver

**1. CALL TO ORDER/PLEDGE**

Chairman Romano called the meeting to order at 6:02 P.M. There was a quorum present. The Pledge of Allegiance was recited.

**2. ROLL CALL**

A Roll Call of those present was provided.

**B. 12 VAN ZANT STREET, CAM APPLICATION.**

**VAN ZANT APARTMENTS, LLC (APPLICANT) PROPOSES TO CONSTRUCT A NEW 2 ½ STORY, FIVE-UNIT TOWNHOUSE ON 12 VAN ZANT STREET. AS THE BUILDING IS LOCATED WITHIN THE COASTAL AREA MANAGEMENT ZONE, THE PROPOSED DRAINAGE SYSTEM IS BEING REVIEWED FOR CONSISTENCY WITH HARBOR MANAGEMENT PLAN. ACCORDINGLY, THE DRAINAGE SYSTEM IS INTENDED TO CAPTURE STORM WATER RUNOFF FROM IMPERVIOUS SURFACES (ROOF, DRIVEWAY) THROUGH AN ON-SITE RETENTION SYSTEM CONSISTING OF 2'X4' PRECAST GALLERIES. THE PROPOSAL INCLUDES AN OPERATION AND MAINTENANCE PLAN FOR THE STORM WATER DRAINAGE SYSTEM.**

Application Review Dr. Pinto decided to address the items in a different order than what was on the agenda.

Atty. Liz Suchy came forwards to address the commission. This property is in the far reaches of the CAM zone and is surrounded by other residentially and commercially developed properties, streets, curbs, and sidewalks. It is not adjacent to or in the vicinity of any coastal resources. However, since it is within the CAM boundary, they are obligated to submit an application for review.

There is a single-family dwelling on the property and a garage. The plan is to demolish the house and garage and construct a new multi-family structure containing five apartments, all of which would be two-bedroom and one and one-half bathrooms. Each unit would have two parking spaces in the unit garage. There are no variances required. Some street trees are proposed along with landscaping at the rear of the property. There is a stormwater retention proposal to capture and treat stormwater that comes from the roof, the leaders, and impervious surfaces on the property. The Stormwater plan and

Operations and Maintenance plan were submitted to the zoning commission previously. It complies with all the requirements of zoning and is a general development project.

Chairman Romano said everything was very good. He had reviewed the plans in their entirety and it was a quality builder. At the end of the day that's what they need to be most cognizant about; the quality of the product in that area.

Mr. Steadman came forwards and recommended that they attach a condition requiring perpetual maintenance of the system.

Dr. Pinto said that they did state that in their application.

**\*\* DR. PINTO MOTIONED THAT THEY APPROVE THE APPLICATION WITH THE FOLLOWING PROPOSAL:**

**1) A PROPOSAL FOR A RECOMMENDATION THAT THE HARBOR MANAGEMENT COMMISSION DISCUSSED THE MATTER DURING IT'S MEETING WITH THE UNDERSTANDING THAT THE APPLICANTS OVERALL PROJECT WILL IMPROVE EXISTING STORMWATER RUNOFF CONDITIONS ON THE AFFECTED PROPERTIES INCLUDING THE PROPERTY USED FOR PARKING ACCORDING TO THE HARBOR MANAGEMENT COMMISSION APPROVED A MOTION TO FIND THE CURRENT PROPOSAL IS CONSISTENT WITH THE NORWALK HARBOR MANAGEMENT PLAN PROVIDED THAT THE ENGINEERING DIVISION DETERMINES THAT THE OVERALL PROJECT MEETS ALL APPLICABLE CITY STORM WATER MANAGEMENT AND MAINTENANCE REQUIREMENTS AND IN ADDITION A CAVEAT THAT THEY RESERVE THE RIGHT TO CONTINUE REVIEW AND COMMENT ON THE APPLICANT'S PROPOSAL AT SUCH TIME THAT IT MAY BE MODIFIED OR WHEN ADDITIONAL INFORMATION CONCERNING THE PROPOSAL MAY BE AVAILABLE. INCLUDING THAT THE MAINTENANCE SCHEDULE THAT WAS USUALLY REQUIRED THAT WE USUALLY REQUIRE FOR THE TREATMENT OF THE OPERATING GALLERIES.**

**\*\* COMMISSIONER GIFFORD SECONDED THE MOTION.**

**\*\* THE MOTION PASSED UNANIMOUSLY.**

**C. 11 PINE POINT ROAD, ROWAYTON, APPLICATION.**

**THE SIXTH TAXING DISTRICT, 33 HIGHLAND AVENUE (APPLICANT) PROPOSES TO REMOVE ~400 CY OF SOIL LADEN WITH RHIZOMES OF AN INVASIVE PLANT SPECIES (PHRAGMITES AUSTRALIS) FROM THE SOUTHERN SECTION OF THE BROOK AND REPLACE THE EXCAVATED AREA WITH THE SAME SOIL VOLUME FREE OF INVASIVE PLANT RHIZOMES. THE LENGTH OF THE PROJECT IS 360 FT OF BROOK CHANNEL. AT THE CHANNEL BOTTOM, 12 – 18" OF SOIL WILL BE REMOVED. SAME AMOUNT OF FILL WILL BE REPLACED IN THE CHANNEL TO RESTORE EXISTING GRADES. THE PROJECT AREA WILL BE SEEDED WITH APPROPRIATE HERBACEOUS SPECIES. SILT FENCING AND HAY BALES WILL BE INSTALLED AROUND PROJECT AREA TO CONTAIN SUSPENDED MATERIAL DURING CONSTRUCTION.**

No one came forward to represent this project.

Mr. Steadman said that the plan supports current enhancement and restoration of degraded intertidal resources according to a thought-out plan. In that regard it is consistent with the Harbor Management Plan.

Dr. Pinto expressed concern over the method of removal of the rhizomes. The plan of digging can be problematic. Herbicide is the most efficient manner of removal. However, this can take two to three years to remediate. He was curious if there was a plan in place for follow-up.

Mr. Schnierlein clarified that normally D.E.E.P. will go in and mow the phragmites down followed by spraying them. They then repeat this process yearly.

**\*\* DR. PINTO MOTIONED TO APPROVE THE APPLICATION WITH THE FOLLOWING CONDITIONS:**

- 1) THE CONDITION OF THE EXISTING WETLANDS ON THE PROPERTY WILL BE IMPROVED.**
- 2) THE HARBOR MANAGEMENT COMMISSION WILL PROVE A MOTION TO FIND THE PROPOSAL IS CONSISTENT WITH THE NORWALK HARBOR MANAGEMENT PLAN TO PRESERVE AND ENHANCE THE VALUES OF WETLANDS AND CONTROL THE SPREAD OF INVASIVE PLANT POPULATIONS THAT MIGHT PREVENT SUCCESSFUL MITIGATION OF IMPACTS TO WETLANDS.**
- 3) HAVE THE APPLICANT EMPLOY BEST MANAGEMENT PRACTICES DURING EXCAVATION WITH THE USE OF HEAVY EQUIPMENT, BULLDOZERS, ETC. IN THE AREA ALONG WITH THE APPROPRIATE BALES AND SCREENING TO PREVENT WASHOUT INTO DEBRIS TO BE REMOVED INTO THE HARBOR AREA**
- 4) HAVE A PLAN IN PLACE FOR SCHEDULED INITIAL MONITORING AND TREATMENT THAT WOULD INVOLVE SUBSEQUENT MONITORING AND CONTROL IMPLEMENTATION MEASURES FOR AT LEAST A YEAR FOLLOWING TO SEE HOW EFFECTIVE THE REMOVAL WAS.**

**\*\* COMMISSIONER KIBBE SECONDED THE MOTION.**

**\*\* THE MOTION PASSED UNANIMOUSLY.**

**D. 80-84 SEAVIEW AVENUE, EAST NORWALK COP.**

**80 SEAVIEW AVENUE, LLC (APPLICANT) PROPOSES TO REPAVE A CONTIGUOUS PARKING AREA BETWEEN 80-84 SEAVIEW AVENUE (5,290 SF). FOLLOWING RE-PAVEMENT OF THE PARKING FACILITY, A PARTIALLY CONSTRUCTED DECK ON 84 SEAVIEW AVENUE WILL BE COMPLETED WITH INSTALLATION OF THE DECKING (~70' X 18.5'), RAILINGS, AND ACCESS RAMP. AUTHORIZATION IS BEING SOUGHT TO RETAIN WOODEN DECK AND COMPLETE CONSTRUCTION.**

Mr. Tom Ryder came forward to present this item. This is an existing parking lot between two restaurants. A large portion of this is below the CJL and, therefore, within the state's jurisdiction. Thus, it is required to file an application with the state. They are removing the top course and regarding the gravel below. They are not bringing in any more. Then they will place the asphalt back on top. He further reviewed the situation of the decking for the Commission. They have asked the D.E.E.P. for approval and if they have no problems with doing so then they just have to go through the formal application process.

Dr. Pinto said that a major concern of the Commission has always been remediation of stormwater runoff and its impact. It's always been concerned with potential adverse impact. He pointed out that the parking lot does not have any system to deal with water runoff and he's wondering if some water treatment or diminishment of potential runoff into Norwalk Harbor could be implemented.

Mr. Ryder said that it has already received local approval for the decking. He did not think that the pavement has received local approval yet. They are not offering any stormwater management differences. There is a wall that prevents any surface water from coming out. There is also a catch-basin implemented.

Discussion followed regarding the installation of Stormwater Runoff systems. Chairman Romano pointed out that the D.E.E.P. had issued a Cease-And-Desist order over the construction due to the Stormwater runoff issues.

Dr. Pinto pointed out that was for 80 Sea View and was for backfilling.

Mr. Ryder confirmed that there was one for the deck as well. There was some confusion as there is also a multi-slip dock present at the location.

Mr. Schnierlein noted that this is an issue that was brought up previously. When such notices are provided or issued by D.E.E.P. they should send a copy to the Harbor Management Commission as well as to the owner of the property. He wished to reiterate that same recommendation. He also questioned if they anticipated a consent order or a fine associated with that notice.

Mr. Ryder said there were two violations mentioned in the meeting. One was the Cease-and-Desist order for the deck. There will not be any violation or fee for that. There was fill put in south of Harbor Lights on 84 Sea View which is incurring a penalty. Further discussion followed.

Chairman Romano commented that this project has been a long time coming and it will likely take decades before there is a need to do it again. It should be done right upfront where the drainage is taken care of. He pointed out that he had not seen calculations regarding the overall retention of the water onsite.

**\*\* DR. PINTO MOTIONED TO APPROVE WITH THE FOLLOWING RECOMMENDATION:**

- 1) IN THE FUTURE NOTICES OF VIOLATION BE PROVIDED TO THE HARBOR MANAGEMENT COMMISSION AS WELL AS TO THE VIOLATOR AND THAT THE PROPOSAL FOR REPAVING THE PARKING LOT IS NOT CONSISTENT WITH THE HARBOR MANAGEMENT PLAN INSOFAR AS IT DOES NOT INCLUDE ANY STORM WATER MANAGEMENT MEASURES.**

**\*\* COMMISSIONER GIFFORD SECONDED THE MOTION.**

**\*\* THE MOTION PASSED UNANIMOUSLY.**

**E. 2 NATHAN HALE ROAD, NORWALK CT.**

**JOHN F. ERDMANN III AND BARBARA A. ERDMANN (APPLICANTS) PROPOSE TO INSTALL A 25' LONG X 11' 8" WIDE X 16" HIGH FLOATING BOAT LIFT ON TO THE EASTERN SIDE OF AN EXISTING AUTHORIZED FLOAT (30' X 9.5'). THE FLOAT IS ADJOINED BY A 30' X 2.5' RAMP TO 30' BY 6' WIDE FIXED PIER. THE BOAT LIFT WILL BE CONSTRUCTED OFF SITE, FLOATED INTO PLACE DURING MID/HIGH TIDE BY BOAT AND THEN SECURED TO THE FLOATING DOCK VIA SPRIG LINES. NO CONSTRUCTION OR SEDIMENT DISTURBANCE IS PROPOSED.**

Mr. Ryder said that this structure has been constructed off-site and will be put into place.

Dr. Pinto said that they had conducted their review of the applicants plans to install a floating boat lift on an existing authorized float and finds the project is consistent with the Norwalk Harbor Management plan. Additionally, the Norwalk Harbor Management Commission would like to transmit one of the comments that was discussed in regard to these types of projects. It is the policy of the Norwalk Harbor Management Plan that no float or vessel attached to the float rests on the bottom of the harbor during any normal tide cycle as part of their overall caveat.

Mr. Johnson added that it should be pulled out in the wintertime.

Mr. Ryder said that there was no reason to have this one in the water at wintertime so it would, presumably, be pulled out.

**\*\* DR. PINTO MOTIONED THAT THEY APPROVE THE APPLICATION WITH THE FOLLOWING CONDITIONS:**

- 1) NO FLOAT OR VESSAL ATTACHED TO THE FLOAT RESTS ON THE BOTTOM OF THE HARBOR DURING ANY NORMAL TIDE CYCLE.**
- 2) THE FLOAT IS PULLED OUT IN THE WINTERTIME.**

**\*\* THE MOTION PASSED UNANIMOUSLY.**

**G. WORKFORCE HOUSING ZONING TEXT AMENDMENT APPLICATION:**  
**DISCUSS LANGUAGE REGARDING THE NHMC RESPONSIBILITIES TO REVIEW APPLICATIONS: “... REVIEW ALL PROPOSALS FOR DREDGING, FILLING AND CONSTRUCTING OR ALTERING ANY STRUCTURE ON, IN OR CONTIGUOUS TO THE HARBOR AND TO COOPERATE WITH FEDERAL AND STATE PERMITTING AUTHORITIES TO ENSURE THEIR CONSISTENCY WITH THE HARBOR MANAGEMENT PLAN.”**

Ms. Michelle Andrzejewski came forwards to discuss this item. This is similar to when they referred over the 3 Wall Street changes to the Historic Regulation. There is affordable housing that is near the coast.

Dr. Pinto said that, as he understood it, this was an overall proposal and the purpose of the regulation was to provide a full range of workforce housing options with the priority given to ownership housing and to increase the supply of workforce housing units affordable to persons of moderate income by encouraging the construction of such housing units within specified multi-family and mixed-use developments. He has gone ahead and put together, based on previous proposals, what they could add to this amendment with regard to this workforce housing project regulation. He has already sent it to Ms. Andrzejewski as a suggestion.

The Norwalk Harbor Management Commission has decided that the amendments to the workforce housing regulation during its meeting of April 28, 2021 if the proposed workforce development project falls within a coastal management area the Harbor Management Commission reserves it's right to review the project for consistency with the Norwalk Harbor Management plan. The recommendations made at the 3 Wall Street project with the following recommendations and comments for the

amendment regarding the workforce housing made by the Harbor Management Commission should be applicable to any project that falls within a coastal management area.

The comments made in general indicated that the Norwalk Harbor Management is concerned about potential adverse impacts of stormwater from impervious areas draining into the harbor and the plan calls for protection and improvement of water quality in the harbor and supports appropriate best management practices to avoid or otherwise mitigate non-point source pollution.

The second comment that Norwalk Harbor Commission supports implementation of runoff reduction and low-impact development practices pursuant to the city's stormwater management requirements.

The third comment is that if the multi-family development proposal affects property within the coastal boundary and may affect property on, in, or continuous to Norwalk Harbor Management area it should be referred by the Zoning Commission to the Norwalk Harbor Commission for review pursuant to section 22a-11-113p. The requirements of the review are specified in section 22 of the Connecticut General Statutes and other comments that were made that were pursuant to the general statues in the plan a two-thirds vote of all members of the Zoning Commission is needed to approve a proposal that has not received a favorable recommendation from the Norwalk Harbor Management Commission.

They would have the proposed text of the amendment should include development standards designed to have a net benefit to drainage conditions by limiting building and parking coverage to 70 percent of the proposed property development. No such limit currently exists.

He suggested that a municipality may allow less than what has currently been proposed on a portion of a lot of parcel that is within 100 to 500 feet of the ordinary high-water mark provided that the city issues a permit that requires a mitigation plan approved by the city and D.E.E.P. and implemented by the property owner. The mitigation plan could include enforcement obligations of the property owner to establish and maintain measures that the city and it' harbor management and its Harbor Commission and Shellfish commission determine adequate to offset the impacts of the impervious surface on water quality near off-shore or aquatic habitat in particular shellfish resources, upland wildlife habitat, and natural scenic beauty.

Those are the comments put into place for that particular application. Dr. Pinto will create and circulate a copy for review.

Ms. Andrzejewski said there was no real deadline for the submission of comments and proposals at this moment.

Dr. Pinto said he would get the verbiage out to all the Commissioners.

**A. 68 WATER STREET, SOUTH NORWALK, CT. APPLICATION.**

**FCNW, LLC (APPLICANT, SALVATORE DINARDO, CONTACT PERSON) PROPOSES TO REPLACE A PREVIOUSLY EXISTING, DETERIORATED WATERFRONT BULKHEAD STRUCTURE WITH A 180 LINEAR FEET OF WOODEN PILE AND TIMBER BULKHEAD RUNNING PARALLEL ALONG RIVER SHORELINE. THE NORTHERN 85-FOOT SECTION OF BULKHEAD WILL BE CONSTRUCTED IMMEDIATELY WATER WARD OF THE REMNANTS THE DETERIORATED WOODEN PILE AND TIMBER BULKHEAD. AT ~MIDPOINT OF THE**

**PROPERTY'S SHORELINE, THE BULKHEAD LINE WILL BE STEPPED BACK LANDWARD 10 FEET. THE REMAINING 85-FOOT-LONG SECTION OF BULKHEAD WILL CONTINUE TO THE SOUTHERN PROPERTY BOUNDARY RUNNING PARALLEL TO THE NORTHERN SECTION OF THE BULKHEAD. APPROXIMATELY 1,020 CF OF FILL WILL BE PLACED LANDWARD OF THE NORTHERN BULKHEAD SECTION BELOW THE HIGH TIDE LINE. A 10-FT WIDE WOODEN DECK WILL BE CONSTRUCTED ALONG THE WATER WARD SIDE OF THE SOUTHERN 85-FT LONG SECTION OF BULKHEAD. THE DECK ELEVATION WILL BE 9 FT NATIONAL GEODETIC VERTICAL DATUM (NGVD), A HEIGHT EQUIVALENT WITH THE TOP OF THE BULKHEAD. THE WATER WARD SIDE OF THE DECK WILL BE SUPPORTED BY A SERIES OF WOODEN PILES DRIVEN 10 FT ON CENTER. THE PROPOSED WORK ALSO INCLUDES THE INSTALLATION OF A 25' X 6' WIDE FLOATING DOCK (WITH DOCK-STOP MECHANISM) FOR RECREATIONAL VESSELS AND ADJOINED WITH A 22' X 3' ALUMINUM RAMP. THE DOCK WILL BE SECURED TO TIMBER PILES USING METAL CHAINS TO ALLOW THE DOCK TO RISE AND FALL WITH TIDE CYCLE.**

Dr. Pinto noted that there was an issue with this petition. On September 10, 1999 an inspection of 68 Water Street was conducted as a result of a complaint received on September 2, 1999 regarding unauthorized activity in Norwalk Harbor at that location. The applicant was cited for placement of approximately 50 yards of riprap waterward of the high-tide line adjacent to an existing unauthorized deteriorated bulkhead in riprap. There was also maintaining an unauthorized structure at the site which included a 165' long, 2' wide concrete block seawall. There was also a pile-supported wooden dock that was run along the length of the property. He further reviewed the details of the complaint for the Commission.

Another issue that exists at the property is that the D.o.T. has also submitted plans to rebuild the bulkhead and an application was submitted to them on February 17, 2021. So now there are two factions, the owner and the D.o.T., planning on using the property.

Another issue is that Eversource still has plans to complete their horizontal drilling project to relocate transmission lines at the 68 Water Street property.

Dr. Pinto said he did not feel there was enough information to make any kind of recommendation at the moment.

Mr. Steadman asked if there was a representative of the applicant present. There was no representative present. He recalled that, back in 1998, the owner had proposed a change of use. This was when they had asked about the rip rap and the state of the shoreline. It was a year after that they have been requested to take a look at it and the D.E.E.P. issued its notice of violation was issued in 1999. There was no response to this notice until 2004 when the owner submitted an application to rebuild the bulkhead there. The Harbor Commission at the time was not prepared to make a favorable recommendation because they wanted information on the status of the violation. They were surprised when the permit was issued in 2012. If the owner built what he was permitted he would fix the violation. That permit has expired with no work undertaken. He also noted that the Commission had requested a meeting with the D.E.E.P. in Hartford to discuss the matters having to do with bulkhead construction and notices of violation that had been requested by Chairman Callahan. Discussion followed.

**\*\* DR. PINTO MOTIONED TO TABLE THIS APPLICATION.**

**\*\* COMMISSSIONER KIBBE SECONDED THE MOTION.**

**\*\* THE MOTION PASSED UNANIMOUSLY.**

**F. STANDING ACTION ITEMS:**

**OPEN DISCUSSION OF FUTURE WALK BRIDGE PROPOSALS REGARDING PLACEMENT OF TRANSMISSION CABLES BY EVERSOURCE AND DOT, DOT'S PLANS FOR STATIONING WORK BARGES IN NORWALK HARBOR; DOT'S PLANS TO MONITOR WATER QUALITY, AND BULKHEAD CONSTRUCTION AT PROPOSED SOUTH WATER STREET STAGING PROPERTIES**

Mr. Richard Bertoli from W.S.P. came forwards to discuss this item. In regard to bulkhead construction Rights of Ways are in negotiations with the property owner currently.

Mr. Christian Brown came forwards to discuss this item. He provided a slideshow for the Commission. This was meant to be an update as to what they were planning to submit as part of an amended application to D.E.E.P. as part of their structures permit application. He proceeded with the presentation for the Commission. The following points were brought up in the presentation.

- Modifications to question 2A – Description of Construction Activities within the application.
- Details on number 13 – Swing Span removal.
- The desire to keep navigation possible and keep, at a minimum, one navigation channel open throughout construction and their plans to accomplish this.
- Proposed schemes for construction.
- The current timeframe for construction.

Dr. Pinto asked if there would be dredging before or after the operation.

Mr. Brown responded that there would be initial dredging around the pivot pier itself and the final dredging will take place later on in the project.

Commissioner MacDonnell asked how the old swing span would be demolished.

Mr. Brown responded that, after a certain point in the project, the old span would be segmented into thirds that would be taken off-site.

Commissioner Gifford asked if the M.T.A. had weighed in on the closing of the tracks.

Mr. Brown said that was a large detriment to the first scheme and the second scheme suggested was more favorable from a rail-operation standpoint.

Mr. Steadman said that the more they hear about the project the more they appreciate the complexity and expertise needed to design and build the project. He asked if scheme one would require contingency planning about how to get people from South Norwalk to East Norwalk and when such a decision would be made.

Mr. Brown said that it would be planned out well in advance while in communication with Amtrak and the M.T.A. Additionally scheme 2 is favored and scheme 1 exists only from an impact standpoint.



Mr. Steadman asked as to the status of the applications in regard to the Coast Guard including the 408 application.

Mr. Brown said that they had been developed along with the D.E.E.P. application recognizing that the D.E.E.P. application is the priority. Most of the information included in the army corps application 404 and 408 is consistent. This is the same for the Coast Guard application.

The question of Eversource and it's permit applications came up. Discussion followed regarding the impact on the timeframe that Eversource would have with its applications.

Dr. Pinto commented that it seemed to have been a priority that the high-tension wires be removed before moving forwards with the project and he didn't understand why there was a delay.

Mr. Brown said he didn't know why they were taking so long.

Commissioner MacDonnell asked what mitigation methods on upstream users' scheme 2 would have.

Mr. Bertoli reviewed the methods of mitigation currently being employed. This involved getting the boats upstream before the winter months arrived and doing work during said winter months.

Commissioner MacDonnell asked about the vessel relocation plan for Water Street and if the plan sat entirely within 90 Water Street or if it included some of the lots which are now in question.

Mr. Brown responded that the land side of the relocation was all within 90 Water Street. The northern piece of the dock spills over slightly. The access and land-side amenities are all within 90 Water Street.

The application is forthcoming and notification will be sent when it has been submitted to D.E.E.P.

A discussion followed as to if there was a conflict between 90 Water Street and 68 Water Street.

### **3. APPLICATION REVIEW COMMITTEE – DR. PINTO**

#### **1. CHAIRMAN'S REPORT – ROMANO**

Chairman Romano said that there was no real Chairman's Report at this time beyond what is continually going on.

#### **2. STAFF REPORTS:**

##### **A. HARBOR MASTER – SCULLY**

Harbor Master Scully came forwards to give his report. He said there may be some issues with the normal beginning of the season with rogue sailboats. One was tied up at the Vet dock for some time. Apparently, there is a person living on the boat and it's unregistered. There is a second that keeps moving around and was last spotted at Mr. Norm Bloom's place having dropped anchor. He noted that

sailboats feel that they do not need to pay and can drop anchor wherever they desire. One person has received a 14-day notice. If he doesn't leave, the marine unit will issue a warrant for him. He noted that people who dock need to pay a fee even if it is just overnight. Discussion followed.

#### **B. CONSULTANT – STEADMAN**

Commissioner Steadman had nothing to report at this time.

#### **3. SHELLFISH COMMISSION – JOHNSON AND BARTUSH**

Mr. Bartush came forwards to deliver his report. They reviewed 165 Gregory, 13 River, and 38 Yarmouth after the site inspection that was done by both Commissions. They submitted their consultation form to the Commission and the Committee and to the State as well.

#### **4. COMMITTEE REPORTS**

##### **A. MOORING AND HARBOR SAFETY – SANTELLA**

Commissioner Santella said he had no report at this time.

Chairman Romano asked if the moorings were coming in.

Commissioner Santella said that a lot of the moorings had already been approved. There are always delayed stragglers after April 30<sup>th</sup>. He noted that there had been a lot of inquiries.

##### **B. FINANCE – KIBBE**

Commissioner Kibbe came forwards to discuss this item. At the end of March, they have about \$2,000 on-hand. They started March with a little over \$10,000. They had received a check from the Roy Yacht club for \$2,000 for their summer mooring down-payment. Commissioner Santella noted that two other checks had been deposited. Discussion followed. On the expense side there is Jeff Stedman's consulting fee, Greg Scully's stipend for the Harbormaster, and the first online mooring charge of \$185.11 from the online board system.

##### **C. PLANS AND RECOMMENDATIONS – MANGELS**

Chairman Romano noted that Mr. Mangels was not present but they had seen the presentation. He requested a motion be made to accept the proposal so they have officially moved it forwards from the Harbor Commission.

**\*\* COMMISSIONER KIBBE MOTIONED TO MOVE THE PROPOSAL FORWARDS.**

**\*\* COMMISSIONER SANTELLA SECONDED THE MOTION.**

Commissioner Gifford asked if there had been any discussion on the commercial aspects of the proposal and if there had been a response.

Chairman Romano said they were just moving forwards with the proposal that has been finalized for the moment. He added that the only reason he was asking to officialize it was because it has to go into the hands of the City for them to vet it.

**\*\* THE MOTION PASSED WITH SIX IN FAVOR (ROMANO; PINTO; SANTELLA; JONES; KIBBE; MACDONNELL) IN FAVOR AND TWO (GIFFORD; CRISPO) ABSTENTIONS.**

#### **D. NEWSLETTER/WEBSITE – KIBBE**

Commissioner Kibbe said there was nothing to report at this time.

#### **E. WATER QUALITY – CRESPO AND SCHNIERLEIN**

Mr. Schnierlein reported that there had been a meeting on April 1<sup>st</sup> where there was an extensive conversation in regard to Ms. Lynnelle Jones's letter. They are in the process of doing background research. He has talked to the head of the association and he is waiting to get in touch with the head of the Norwalk Yacht Club. He has also sent letters to D.E.E.P. and has gotten preliminary responses but nothing definite at this point. Mr. Harris had given a presentation on the data he's been collecting from doing sampling north of the bridge work and south of the bridgework. He is happy with the results. He then proceeded to list the items which had been tested for. Discussion followed.

He had also submitted a report that Mitten Crabs have been found on the Housatonic River. This crab could create a lot of problems for shellfish as well as other crab species. He requested that fishers, especially Blackfish fishers, keep an eye out for mitten crabs in the area. They first started moving in to the East Coast several years ago. They have appeared in the Oyster dredges.

#### **F. BRIDGES**

There was nothing to discuss at this moment.

### **5. PUBLIC COMMENT**

#### **A. LYNNELLE JONES (5 MINUTE PRESENTATION/COMMENTS)**

Ms. Lynnelle Jones came forwards to give her presentation. On April 1<sup>st</sup> she had two items for the agenda. One was the Norwalk Harbor Management Plan supports and encourages a pump-out station in Wilson Cove. When she went and pulled the permit, she had from D.E.E.P. from last summer she filed a complained because she didn't think the pump-out station was in use. She has sent a report which included issues regarding a holding tank and a septic truck and their absence. Discussion followed regarding this issue.

Her second agenda item was the redesign of the common space between 2 and 2 ½ Nathan Hale Road. Before the pipes, which she believes are point source pollution, were put in this was the only area where a resident who is not a member of either of the clubs with private beaches on Wilson Point could access the water with a boat. She believes that the Norwalk Harbor Management Plan encourages public access and that this is problematic for a few reasons. Directing drainage from homes with

drainage problems into the Sound without any filters or best practices or review or permit is against the Connecticut Coastal Permit Program and needs to be reviewed.

Chairman Romano corrected her and pointed out that she was in a private association and they control the properties there meaning there is nothing that the city can weigh in on other than standing by the statement.

Ms. Jones pointed out that there were a lot of undocumented drains and the idea that runoff can be directed from elsewhere into the Sound without a permit makes no sense.

Mr. Wesley Oliver came forwards to speak on the mooring plan. The plan is moving forwards. One of their basic assumptions was that they would treat all pleasure boats equally in terms of the way they were being asked to pay a fee. The 400 boats on moorings that's up to three times more than the 1,200 boats that are in slips. The fee for a boat in a slip is \$35 and the fee for a boat in a mooring is \$100.

Mr. Romano suggested that they continue the plan next month with Mr. Mangels present. Discussion followed regarding the mooring fees.

#### **6. APPROVAL OF MINUTES: MARCH 24TH, 2021**

**\*\* COMMISSIONER GIFFORD MOTIONED TO APPROVE THE MINUTES OF MARCH 24, 2021 AS SUBMITTED.**

**\*\* COMMISSIONER SANTELLA SECONDED THE MOTION.**

**\*\* THE MOTION PASSED UNANIMOUSLY.**

#### **7. ADJOURNMENT**

**\*\* COMMISSIONER PINTO MOTIONED TO ADJOURN.**

**\*\* COMMISSIONER SANTELLA SECONDED THE MOTION.**

**\*\* THE MOTION PASSED UNANIMOUSLY.**

*The meeting adjourned at 8:39 P.M.*

Respectfully Submitted,  
Ian A. Soltes  
Telesco Secretarial Services