

**NORWALK HARBOR MANAGEMENT COMMISSION
MONTHLY MEETING
WEDNESDAY OCTOBER 26, 2016**

ATTENDANCE: Tony Mobilia, Chair; Jan Schaefer; John Pinto; Bill Gardella; John Romano; Joe Perella (7:46 p. m.)

STAFF: Geoff Steadman, Consultant

OTHERS: Pete Johnson, Shellfish Commission, Karen Tomko, Paul Saviano

CALL TO ORDER/PLEDGE

Chairman Mobilia called the meeting to order at 7:39 p. m. and Mr. Romano led the pledge of allegiance.

ROLL CALL

Chairman Mobilia read the role, and a quorum was present.

CHAIRMAN'S REPORT

Chairman Mobilia reported that the public hearing on the Walk Bridge has been pushed back and it is not scheduled for November 17, 2016. Comments will have to be submitted no later than two weeks after the hearing. We are waiting to have a meeting with the law department consultants to review the public comments that we will make.

Mr. Perella entered the meeting at 7:46 p. m.

Mr. Steadman stated that the consultants will provide guidance on the details in the documents, and guiding us through how the process will go, and if it is being done properly.

State of the Harbor

Chairman Mobilia stated that the date of the State of the Harbor meeting will need to be scheduled. Discussion followed on possible dates. He stated that we will need to arrange to have speakers and that the Dunavan Award will be presented. Mr. Romano suggested that at the State of the Harbor meeting, the Application Review Committee give a review of the activities that it has been engaged in over the course of the past year.

STAFF REPORTS

Consultant Steadman

Mr. Steadman stated that there have been statements made in the newspapers by people referring to the Walk Bridge and the navigability of the Norwalk River. He does not believe there is any list of navigable rivers that any river can be added to or removed from. A Federal Channel has an official distinction, and the two terms are not interchangeable. Federal Channels can be removed or amended, but it does not change what are navigable waters. This distinction is important when decisions are made on having a fixed bridge or one that boats can get through, and up the river. Mr. Romano stated that if a fixed bridge is put in, businesses that have their access cut off would need to be compensated.

Harbor Master Report

Mr. Griffin was not in attendance. He emailed his report to the members of the commission prior to the meeting.

- ** MR. ROMANO MOVED TO ACCEPT THE HARBOR MASTER REPORT AS SUBMITTED.**
- ** MR. GARDELLA SECONDED THE MOTION.**
- ** THE MOTION PASSED UNANIMOUSLY.**

Waterfront Advisory

Chairman Mobilia stated that the docks at the Dunavan Center will be shut down at the end of the month. Work will be done on the parking lot and the ramps.

SHELLFISH COMMISSION

Mr. Johnson reported that he received an application from 26 Cove Avenue. He stated that we haven't heard anything about 1 and 3 Gregory Court, yet. Chairman Mobilia stated that he has not received the shellfish mapping information. Mr. Johnson stated that the Shellfish Commission has not received it either. Mr. Steadman stated that a presentation of the data should be made to both commissions.

COMMITTEE REPORTS

Mooring and Harbor Safety

Mr. Dennis Santella was not in attendance, but submitted his reports prior to the meeting through email as follows:

Mooring Committee

- Online Mooring held a Webinar Conference on October 5, 2016 with various methods and instructions to use many aspects of the Online System. Suggestions were offered and explained to best navigate the System, which proved to be very informative and helpful.
- Online Mooring hosted a Focus Group Session on October 13, 2016 with Brad Hurley and John Boyd from Online Mooring. This session offered an informal opportunity for us to express our difficulties

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and concerns we have experienced with the Norwalk Online System. We were able to discuss and understand the solutions offered by Brad and John, to address our problems and we agreed on the best changes to help improve our system.

- Both the Webinar and Group Session proved to be very informative and productive. Brad and John said they are planning to schedule more User Conferences throughout the year.

- An email blast was sent to all mooring holders requesting that missing documentation, must be submitted this year or risk losing their mooring location and renewal opportunities for the 2017 season.

We have received many email responses and each one is being addressed accordingly.

Harbor Safety

G & C Marine have not received the new speed sign for navigation aid #10 and they will install ASAP when they receive it.

Bridges

Chairman Mobilia stated that we will have comments on the Walk Bridge after we meet with the lawyers. He stated that the Yankee Doodle Bridge will be covered in the Application Review Committee.

Application Review

26 Cove Avenue; Harborview Condominium. Permit application involves maintenance of a deteriorated steel bulkhead around the property at 26 Cove Avenue. Due to varying deteriorated conditions of the existing bulkhead, various methods of remediation have been proposed. The proposed project also includes replacement of an existing public access pier to the side of the seawall adjacent to Third Street and on the Harbor View Condominium property.

Dr. Pinto reviewed the application and suggested comments.

**** MR. ROMANO MOVED THAT THE NHMC CANNOT RECOMMEND THAT THE APPLICANT MOVE FORWARD WITH THE PROPOSAL AND TO TRANSMIT THE FOLLOWING COMMENT AND RECOMMENDATIONS TO THE OLISP AND THE APPLICANT.**

COMMENT AND RECOMMENDATIONS:

1. THE NEIGHBORING PROPERTY OWNERS NEED TO BE NOTIFIED AS PROPOSED WORK ON THE DETERIORATED BULKHEAD APPEARS TO EXTEND INTO NEIGHBORING LITTORAL BOUNDARIES.

2. THE APPLICANT NEEDS TO IDENTIFY THE DISTANCE OF THE PROPOSED BULKHEAD FROM THE FEDERAL NAVIGATION CHANNEL AS WELL AS FROM NEIGHBORING PROPERTIES.

3. THE APPLICANT NEEDS TO CONFIRM THAT THE DOCKS ALONG THE BULKHEAD HAVE BEEN PERMITTED.

4. THE DESIGN AND PROPOSED WORK ON THE BULKHEAD NEED TO BE SIGNED BY A CERTIFIED ENGINEER OR LICENSED ARCHITECT. PLEASE BE ADVISED THAT: A) THE NHMC RESERVES ITS RIGHT TO RE-EVALUATE THE PROPOSAL AT SUCH TIME AS IT MAY BE MODIFIED OR PRESENTED AS A FULL PERMIT TO OLISP B) IT IS THE RESPONSIBILITY OF THE APPLICANT TO ENSURE COMPLIANCE WITH ALL APPLICABLE CITY CODES AND REGULATIONS, INCLUDING THE BUILDING CODE AND REGULATIONS.

**** MR. GARDELLA SECONDED THE MOTION.**

**** THE MOTION PASSED UNANIMOUSLY.**

2 Nearwater Place, Bruce Beinfield property, Farm Creek. COP Application to repair an existing seawall. Trench excavation will be required for wale assembly landward; ten foot sections of sheathing (1 ft waterward) of existing seawall will be lagged to sheathing boards. Maximum spacing between existing seawall and scab seawall is 1'6". Total repair involves 83 foot of existing seawall.

Dr. Pinto reviewed the application and suggested comments.

**** MR. ROMANO MOVED THAT THE NHMC CONSIDERED THE APPLICANT'S PROPOSAL AND APPROVED A MOTION TO: A) FIND THE PROPOSAL CONSISTENT WITH THE NORWALK HARBOR MANAGEMENT PLAN PROVIDED IT CONFORMS TO FEMA GUIDELINES FOR COASTAL CONSTRUCTION; AND B) TRANSMIT THE FOLLOWING COMMENTS TO THE OLISP AND THE APPLICANT.**

COMMENTS:

1. THE NORWALK HARBOR MANAGEMENT PLAN SUPPORTS TIMELY REPAIR AND MAINTENANCE OF SHORE PROTECTION STRUCTURES AS NECESSARY TO PROTECT EXISTING DEVELOPMENT.

2. THE APPLICANT SHOULD EMPLOY APPROPRIATE BEST MANAGEMENT PRACTICES DURING DEMOLITION AND CONSTRUCTION TO ENSURE THAT THE PROPOSED WORK, INCLUDING REMOVAL OF DEBRIS, DOES NOT CAUSE ANY SIGNIFICANT ADVERSE IMPACTS ON ENVIRONMENTAL QUALITY, INCLUDING WATER QUALITY, IN NORWALK HARBOR.

3. THE APPLICANT'S PROJECT SHOULD INCORPORATE APPROPRIATE MEASURES TO REDUCE OR OTHERWISE MANAGE STORM WATER RUNOFF FROM THE PROPERTY INTO NORWALK HARBOR.

PLEASE BE ADVISED THAT: A) THE NHMC RESERVES ITS RIGHT TO RE-EVALUATE THE PROPOSAL AT SUCH TIME AS IT MAY BE MODIFIED, ADDITIONAL INFORMATION CONCERNING THE PROPOSAL MAY BECOME AVAILABLE, OR THE PROPOSAL MAY BE THE SUBJECT OF A PUBLIC NOTICE OR HEARING; AND B) IT IS THE RESPONSIBILITY OF THE APPLICANT TO ENSURE COMPLIANCE WITH ALL APPLICABLE CITY CODES AND REGULATIONS.

**** MR. GARDELLA SECONDED THE MOTION.
** THE MOTION PASSED UNANIMOUSLY.**

7 Gregory Court, CAM application; #29-16CAM- Landtech, New single family residence. Demolition of existing house on the property; Construction of a new 4 bedroom, 2 story house with patio and gravel driveway. Proposed house will use similar footprint of the existing house. New house will be set above the flood zone at 13.33 ft. Stormwater from roof will be directed to four Cultec rechargers prior to infiltrating into the ground. Two 3 ft high retaining walls will be constructed parallel to northeastern and southwestern property lines.

Dr. Pinto reviewed the application and suggested comments.

**** MR. ROMANO MOVED TO: A) FIND THE PROPOSAL CONSISTENT WITH THE NORWALK HARBOR MANAGEMENT PLAN PROVIDED THE ZONING COMMISSION DETERMINES THE PROPOSED PROJECT MEETS CURRENT FEMA GUIDELINES FOR COASTAL CONSTRUCTION; AND B) TRANSMIT THE FOLLOWING COMMENTS TO THE ZONING COMMISSION AND APPLICANTS.**

COMMENTS:

1. THE APPLICANTS SHOULD BE REQUIRED TO EMPLOY APPROPRIATE BEST MANAGEMENT PRACTICES DURING CONSTRUCTION TO ENSURE THAT THE PROPOSED WORK DOES NOT CAUSE ANY SIGNIFICANT ADVERSE IMPACTS ON ENVIRONMENTAL QUALITY, INCLUDING WATER QUALITY, IN NORWALK HARBOR.

2. THE NHMC UNDERSTANDS THAT NO WORK ON THE EXISTING SEAWALL ON THE PROPERTY IS BEING PROPOSED AND THAT BEST MANAGEMENT PRACTICES WILL BE FOLLOWED DURING CONSTRUCTION OF THE TWO LANDWARD RETAINING WALLS TO PREVENT ANY ADVERSE IMPACTS ON ENVIRONMENTAL AND WATER QUALITY IN NORWALK HARBOR.

3. THE APPLICANTS' PROJECT SHOULD INCORPORATE APPROPRIATE MEASURES TO REDUCE OR OTHERWISE MANAGE STORM WATER RUNOFF FROM

THE PROPERTY INTO NORWALK HARBOR FOLLOWING COMPLETION OF THE PROJECT.

PLEASE BE ADVISED THAT THE NHMC RESERVES ITS RIGHT TO CONTINUE TO REVIEW AND COMMENT ON THE APPLICANTS' PROPOSAL AT SUCH TIME AS IT MAY BE MODIFIED OR WHEN ADDITIONAL INFORMATION CONCERNING THE PROPOSAL MAY BE AVAILABLE.

**** MR. GARDELLA SECONDED THE MOTION.
** THE MOTION PASSED UNANIMOUSLY.**

Interstate I95 Yankee Doodle Bridge over Norwalk River. The proposed project involves improvement of existing stormwater outfall from the Yankee Doodle Bridge and mitigation of impacts on tidal wetlands located directly below the I95 Yankee Doodle Bridge.

Dr. Pinto reviewed the application and suggested comments.

**** DR. PINTO MOVED TO TRANSMIT THE FOLLOWING RECOMMENDATIONS AND COMMENTS TO THE APPLICANT (DOT) AND DEEP.**

1. FOR REASONS DISCUSSED, THE NHMC DOES NOT SUPPORT INCLUSION OF THE APPLICANT'S PLANS IN A PERMIT APPLICATION TO BE SUBMITTED TO THE DEEP AT THIS TIME. INSTEAD, THE NHMC RECOMMENDS THAT THE APPLICANT'S PLANS BE COMBINED WITH THE PENDING PLANS OF THE APPLICANT FOR REHABILITATION OF THE YANKEE DOODLE BRIDGE INTO A SINGLE PERMIT APPLICATION TO THE DEEP.

2. PRIOR TO SUBMITTING A NEW PERMIT APPLICATION, THE APPLICANT SHOULD:

- A) SAMPLE AND TEST SEDIMENTS IN THE HENDRICKS AVENUE DRAIN AND IN THE INTERTIDAL AREA NEAR THE DRAIN'S OUTFALL FOR REASONS DISCUSSED;**
- B) QUANTIFY THE WATER QUALITY BENEFITS OF THE PROPOSED PROJECT AS DISCUSSED; AND**
- C) DELINEATE THE CATCHMENT AREA DRAINING INTO THE HARBOR THROUGH THE HENDRICKS AVENUE OUTFALL.**

3. THE NHMC RECOMMENDS THAT THE DOT SHOULD BE REQUIRED TO MANAGE THE DISCHARGE OF STORM WATER FROM DOT STORM DRAINS TO THE SAME STANDARD AS THE CITY OF NORWALK IS REQUIRED TO MANAGE STORM WATER THROUGH THE MUNICIPAL STORM SEWER SYSTEM.

4. THE NHMC INTENDS TO SEEK SUPPORT FOR THE ABOVE RECOMMENDATIONS FROM ITS STATE LEGISLATORS.

**** MS. SCHAEFER SECONDED THE MOTION.**

**** THE MOTION PASSED UNANIMOUSLY.**

Finance Committee

Mr. Mobilia stated that the grant submission has to be put in for next year. It is due in December. Discussion followed on the sources of funding for the grant.

Plans & Recommendations

Ms. Schaefer stated that she is working with the Parks & Recreation Department to see if there is possible funding for them through the Port Authority. Mr. Steadman stated that the visitor's docks may be considered as mitigation for the Walk Bridge Project.

Water Quality

Mr. Mobilia stated that there is not water quality committee at the moment. He will be working on a request to get it up and running.

Newsletter/ Website

Mr. Perella stated that he did not know about the status of the payment due to the printer for the Summer Newsletter. Mr. Mobilia stated that he would follow up with Mr. Aitoro on the issue. Dr. Pinto stated that he would write an article for the next issue of the newsletter.

NOMINATING COMMITTEE

Dr. Pinto asked about the proper procedure for advertising the Harbor Master position. Ms. Schaefer reviewed the process for advertising the position online.

David S. Dunavan Award

Dr. Pinto stated that nominations need to be made for the award. Mr. Mobilia stated that voting on the nominees will be held at the next meeting.

APPROVAL OF MINUTES

Meeting of September 28, 2016

Correct – “John Maggio” to “Peter LePak” throughout document.

Page 1 - Add “A vote was taken to accept the Harbor Master report.”

Page 2 – Correct “launch box” to “lunch moorings”

Page 2 – Correct to “Mr. Aitoro stated that all mooring permits..”

Page 2 – Correct to “Committee Chairman Santella asked...”

Page 3 – Correct to “and Stroppolino Bridge repairs are moving forward.”

Page 3 – Correct to “with the Port Authority presentation and did a very good job.”

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Page 4 – Correct “Pirella” to “Perella”

Page 5 – Correct to “and restricting future development.

**** MR. PINTO MOVED TO APPROVE THE SEPTEMBER 28, 2016 MINUTES AS AMENDED.**

**** MR. GARDELLA SECONDED THE MOTION.**

**** THE MOTION PASSED UNANIMOUSLY.**

NEW BUSINESS

No new business was brought forward.

OLD BUSINESS

No old business was brought forward.

Chairman Mobilia suspended the rules of the commission to include Public Comment on the agenda.

PUBLIC COMMENT

Ms. Karen Tomko of the United Marine came forward to state that a fixed bridge would not be good for her business. Sailboats, powerboats, and others types of boats require the Walk Bridge to open.

Mr. Paul Saviano came forward to state that the #10 sign that had lost power has been fixed.

ADJOURNMENT

**** MR. ROMANO MOVED TO ADJOURN THE MEETING.**

**** MS. SCHAEFER SECONDED THE MOTION.**

**** THE MOTION PASSED UNANIMOUSLY.**

The meeting was adjourned at 9:35 p. m.

Respectfully submitted,

Tom Blaney

Telesco Secretarial Services