

**CITY OF NORWALK
NORWALK HARBOR MANAGEMENT COMMISSION
WEDNESDAY, NOVEMBER 16, 2016**

ATTENDANCE: Tony Mobilia, Chair; Bill Gardella; John Romano; Jan Schaefer; Dennis Santella

STAFF: Harbor Master Michael Griffin

OTHERS: Pete Johnson, Shellfish Commission

CALL TO ORDER/PLEDGE

Chairman Mobilia called the meeting to order at 7:33 p. m., and Mr. Griffin led the Pledge of Allegiance.

ROLL CALL

Chairman Mobilia read the roll and a quorum was present.

CHAIRMAN'S REPORT

Chairman Mobilia stated that the State of the Harbor Meeting will be in the City Hall Community Room on December 13, 2016. Discussion followed on the scheduling of the Application Review Meeting and the Regular Commission Meeting.

Chairman Mobilia stated that he will be testifying on behalf of the commission at the Connecticut Department of Transportation (ConnDOT) WALK Bridge Public Hearing on November 17, 2016. Chairman Mobilia presented a draft of his testimony for review as follows:

FOR PRESENTATION BY THE CHAIRMAN DURING THE NOVEMBER 17, 2016 PUBLIC HEARING

1. The Norwalk Harbor Management Commission recognizes the vital importance of the WALK Bridge to rail transportation. We also recognize that the project will have significant impacts on Norwalk Harbor.
2. The commission has a significant responsibility in the review and permitting process for the project which must be reviewed with respect to the Norwalk Harbor Management Plan. The Commission's authority and responsibility to review proposals are established in the Connecticut General Statutes, Norwalk Code of Ordinances, and the Plan.
3. The Harbor Management Plan contains a number of provisions relevant to the Project, including requirement to maintain safe and efficient navigation and protect the harbor's water-dependent uses,

as well as requirements for maintaining the congressionally authorized federal navigation channel. The Plan also establishes policies and recommendations to protect environmental quality, including water quality; provide substantial public access to the harbor; and protect the quality of life in areas near the harbor.

4. In accordance with the General Statutes, a recommendation of the Harbor Management Commission pursuant to the Harbor Management Plan shall be binding on any state official making a regulatory decision and affecting Norwalk Harbor, unless that official can show cause why a different course of action should be taken.

5. The Commission has reviewed the DOT's Environmental Assessment/Environmental Impact Evaluation for the Project and is of the opinion that the document does not present a sufficiently detailed evaluation of the economic, social, and environmental costs and benefits of the project.

6. For example, the Commission is aware that the Project will require relocation of the eight existing Eversource Energy electric transmission lines currently carried on two high towers over the bridge. This relocation is a significant effect of the Project on the harbor but is not addressed in the document.

7. The Commission recommends that the DOT, DEEP, and the Office of Policy and Management take no further action on the Environmental Document until such time as:

1) an independent expert, retained by the city, completes an evaluation of the DOT's conclusions regarding the potential costs and benefits associated with the bridge alternatives described in the document; and

2) The Harbor Management Commission and other city agencies review the expert's evaluation and provide comments accordingly to the DOT, DEEP, and OPM. The cost of this necessary third-party review should not be part of the DOT's project cost. If necessary, the public comment period for the document should be extended for a reasonable period of time to accommodate the expert's evaluation and the Commission's subsequent comments.

8. The Commission will present a formal statement of findings and recommendations to the DOT on or before the close of the public comment period.

**** MR. ROMANO MOVED TO APPROVE THE DRAFT AS SUBMITTED.**

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

**** THE MOTION PASSED UNANIMOUSLY.**

Chairman Mobilia stated that he would like Harbor Master Griffin to attend the public hearing as well and deliver a statement. Harbor Master Griffin agreed to do so.

STAFF REPORTS

Harbor Master Report/Waterfront Advisory

Harbor Master Griffin stated that he sent his reports through email to each of the commissioners and asked for questions or comments on the report. He stated that the boat shared with the Shellfish Commission is currently in storage, and that he will attend the next Shellfish Commission meeting to see if they have any requests about storage of the boat for the winter. He stated that a city ordinance would need to be drawn up in order for a fee schedule to be put in place when the Police Department is covering various events in the harbor. The ordinance would need to be similar to the one in place when work is being done on the streets.

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

Shellfish Commission

Mr. Johnson stated that 1 and 3 Gregory Court got the okay from DEEP to build. He stated that DEEP can overrule local rulings with justification and it did so. He stated that the Shellfish Mapping Survey will be delivered at the next meeting. HE stated that the Shellfish Commission will be making a donation towards the Water Quality Committee.

Mooring Committee

Mr. Santella stated that the Committee and Harbor Master continue to contact applicants, to inform them to submit their missing information and bring their applications into compliance. He stated that a follow up letter will be emailed after Thanksgiving urging compliance. He stated that Managed Fields are all paid up. He stated that the Committee will meet to discuss the 2017 season and address issues or make changes experienced in the 2016 season. Chairman Mobilia requested that notices be sent out on December 31, 2016 for the upcoming year.

Marine Police Unit/NFD Marine Unit

No reports were given.

Bridges

Chairman Mobilia stated that the update on the WALK Bridge was covered in his Chairman's Report. He stated that the Stroffolino Bridge is still being worked on.

Application Review

- ** MR. SANTELLA MOVED TO SUSPEND THE RULES TO ADD THE WATER SPORTS CENTER APPLICATION TO THE AGENDA.
- ** MR. GARDELLA SECONDED THE MOTION.
- ** THE MOTION PASSED UNANIMOUSLY.

1. **38 Shorefront Park**, CAM application. Kathleen Olsen, the applicant, plans to construct a single family, two and a half story residence with a garage in the location of 38 Shorefront Park. The property is currently a vacant lot with an existing concrete seawall along the entire eastern property line. Stormwater runoff from the roof and driveway will be directed to front of the property and will filter into “rain gardens” and also into City drainage system. No work is proposed on or waterward of the seawall.

Mr. Roman reviewed the application, and recommended a vote to approve.

- ** MR. GARDELLA MOVED TO APPROVE THE APPLICATION AS SUBMITTED.
- ** MR. SANTELLA SECONDED THE MOTION.
- ** THE MOTION PASSED UNANIMOUSLY.

2. **26 Cove Avenue**; Harborview Condominium. Permit application involves maintenance of a deteriorated steel bulkhead around the property at 26 Cove Avenue. This project was reviewed last month by the commission and comments and recommendations were transmitted to the Harborview Condominium.

The applicant’s project engineering company has emailed responses to the commission’s comments and the application will be re-evaluated.

Mr. Romano reviewed the application, and recommended a vote to approve.

- ** MR. SANTELLA MOVED TO APPROVE THE APPLICATION AS PRESENTED.
- ** MR. GARDELLA SECONDED THE MOTION.
- ** THE MOTION PASSED UNANIMOUSLY.

3. **Water Sports Center**

Mr. Romano reviewed the application, and recommended a vote to approve.

- ** MR. GARDELLA MOVED TO APPROVE THE APPLICATION AS PRESENTED.
- ** MR. SANTELLA SECONDED THE MOTION.

**** THE MOTION PASSED UNANIMOUSLY.**

Finance Committee

Chairman Mobilia stated that a bill was received from Earthplace for a total of \$1,500.

**** MR. ROMANO MOVED TO APPROVE THE PAYMENT OF THE EARTHPLACE BILL FOR A TOTAL OF \$1,500.**

**** MR. SANTELLA SECONDED THE MOTION.**

**** THE MOTION PASSED UNANIMOUSLY.**

Chairman Mobilia stated that the Grant Agency Funding Application would be for the amount of \$9,134. He stated that revenue for the year to date is \$31,543. Expenses for the year to date are \$49,756. He stated that leaves about a \$15,000 deficit this year but does not account for money brought in from the Online Mooring System. Discussion followed on revenues brought in by the Online Mooring System and the processing of payments.

Ms. Schaefer asked about the status of the check that was sent out for the newsletter. Chairman Mobilia stated that the check was sent out to the incorrect location. The check will have to be returned to the City before a new check is issued.

Plans and Recommendations

No report was given.

Water Quality

Chairman Mobilia stated that he attended today's Watershed Meeting in Wilton. He stated that he would like it to be noted that the Harbor Management Commission pays for the interns at Earthplace.

Newsletter

Ms. Schaefer stated that there is not enough material for a new edition. She stated that she had one story from Dr. Pinto, but no other articles. Discussion followed on how many newsletter editions to put out each year.

Nominating Committee

Ms. Schaefer stated that a draft has been prepared to advertise for the Harbor Master position.

- ** MR. SANTELLA MOVED THAT A POSTING REQUESTING CANDIDATES FOR THE HARBOR MANAGER POSITION BE PUBLISHED IN LOCAL MEDIA.
- ** MR. ROMANO SECONDED THE MOTION.
- ** THE MOTION PASSED UNANIMOUSLY.

David S. Dunavan Award

Ms. Schaefer brought forward nominations of Mr. Joe Scherline, the Marine Aquarium, Mr. Henry Palau, and Mr. Tim Kramer.

Ms. Schaefer asked for other nominations. Hearing none, the item was closed.

Chairman Mobilia asked that a vote be taken on the nominees. Mr. Scherline won with four votes. Mr. Palau received one vote (Mr. Romano.)

APPROVAL OF MINUTES

October 26, 2016

Page 1 Change "not" to "now"

Page 7 Change "Mr. .Mobilia" to "Mr. Mobilia"

- ** MR. ROMANO MOVED TO ACCEPT THE MINUTES AS AMENDED.
- ** MR. GARDELLA SECONDED THE MOTION.
- ** THE MOTION PASSED UNANIMOUSLY.

NEW BUSINESS/OLD BUSINESS

No new or old business was brought forward.

ADJOURNMENT

- ** MR. ROMANO MOVED TO ADJOURN.
- ** MR. GARDELLA SECONDED THE MOTION.
- ** THE MOTION PASSED UNANIMOUSLY.

The meeting was adjourned at 9:09 p. m.

Respectfully submitted,

Tom Blaney
Telesco Secretarial Services

City of Norwalk
Harbor Management Commission
November 16, 2016
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