

**CITY OF NORWALK
HARBOR MANAGEMENT COMMISSION
REGULAR MEETING
MARCH 28, 2018**

ATTENDANCE: Joe Perella, Chair; John Pinto; John Crespo; Bill Gardella; Tony Mobilia; Jan Schaefer; Dennis Santella

ABSENT: John Romano; Tony Aitoro

OTHERS: Geoff Steadman, Consultant; Gregg Scully, Harbor Master; Bruce Lovallo, Deputy Harbor Master; Steven Bartush, Shellfish Commission; Sergeant Peter LaPak, NPD

1. CALL TO ORDER/PLEDGE

Mr. Perella called the meeting to order at 7:32 p. m. and led the assembly in the Pledge of Allegiance.

2. ROLL CALL

Mr. Perella called the roll. A quorum was present.

3. CHAIRMAN'S REPORT

Mr. Perella stated that will bring forward items under New Business

4. STAFF REPORTS

a. Harbor Master

Harbor Master Scully stated that the 2018 mooring applications are being reviewed.

Harbor Master Scully stated that he has been in contact with a non-paying mooring resident. He stated that the resident's boat has been uninspected for at least two years. He stated that the resident removed the boat from the mooring, and anchored near the mooring. This created an issue of the sailboat resting on the bottom at low tide. Harbor Master Scully stated that the resident was asked to move the sailboat and the resident refused to move it. Harbor Master Scully advised the resident of the 14 calendar day per year anchorage maximum.

Harbor Master Scully stated that the new Deputy Harbor Master is becoming familiarizing himself with procedures and making good progress.

Harbor Master Scully stated that he met with Tony Jerri at City Hall regarding a possible relocation of the Seaport vessel.

b. Consultant

No report was brought forward.

5. SHELLFISH COMMISSION

Mr. Bartush stated that the Shellfish Commission finds the proposed placement of the Eversource cables under the visitors' dock to be unacceptable. He stated that we have asked Eversource for environmental data in regards to an increase in water temperature that could occur due to the presence of the cables.

Mr. Bartush stated that for the month of February, there was 6.39 inches of liquid precipitation. There were five "Half Inch" Shellfish Zone closures, and two "One Inch" closures during February.

Mr. Bartush stated that for the 17 Bluff application we still need to do another measurement. We did some in conjunction with the Marine Division. We now have commentary that was submitted by the applicant and we have to go back one more time at low tide.

Mr. Bartush stated that we completed a COP review for the 26 Shore Front Park. In addition to our standard language, we added a right of way requirement.

Mr. Bartush stated that, at the sewage plant, there was one BOD failure as high as 35 grams per liter on February 5th.

6. COMMITTEE REPORTS

a. Application Review

1. Eversource Energy, Permit pre-application consultation.

Dr. Pinto stated that Eversource Energy, intends to file a Structures, Dredging and Fill, and Tidal Wetlands permit application to DEEP. As a result of the planned construction of the new Walk Bridge, Eversource Energy proposes to decommission the existing steel lattice structures over the existing Walk Bridge that support two 115 kV transmission lines, and permanently re-route the transmission lines prior to demolition/rebuilding of the Bridge.

Dr. Pinto stated that overview of the new design will entail redirecting the power lines starting underground behind Norwalk Police Headquarters, trenching under local streets, horizontally drilling under the Norwalk River and the Norwalk Visitor's Docks, trenching through Veteran's Memorial Park and under intersection of Fort Point St, and re-connecting with the power grid at the intersection of Smith Street and Fort Point Street.

Dr. Pinto stated that drilling under the Harbor will begin upland on the Harbor's west side using a Horizontal Direct Drilling technique to place conduits under the Norwalk Visitor's Docks and between and alongside of pilings that anchor the Docks and Launch Ramps. Staging areas will contain receiving trenches to allow drilling and cooling fluid for the drill bit to be collected and re-claimed for continuous use.

Dr. Pinto stated that we have received the opinion of an expert regarding this project. Dr. Pinto reviewed written comments from the expert. The expert wrote that we cannot endorse the current route of the replacement underground feeders. The design is impractical in its thinking that Horizontal Directional Drilling can be accurate to within the tolerances it is showing. It is irresponsible in limiting in perpetuity the functionality of a vital resource to the City of Norwalk. Even if there existed no plausible alternative to the current design, to which we feel strongly there are many, we would label the current design “short sighted” and likely the result of an ill-conceived, hasty effort.

- ** MS. SCHAEFER MOVED TO ACCEPT THE COMMENTS OF THE APPLICATION REVIEW COMMITTEE.**
- ** MR. SANTELLA SECONDED THE MOTION.**
- ** THE MOTION PASSED UNANIMOUSLY.**

2. 18 Tonetta Circle

Dr. Pinto stated that the CAM application proposes to replace a single-family dwelling with associated site improvements. The proposed site development will decrease the site’s impervious surfaces by approximately 272 square feet. He stated that there will be an increase in pervious lawn area by 587 sf. and removal of approximately 744 sf. of cement sidewalk and stone patio. The proposal will expand infiltration area by 1,331 sf. Splash pads will dissipate roof top storm water prior to lawn runoff.

- ** MR. GARDELLA MOVED TO APPROVE THE 18 TONETTA CIRCLE APPLICATION WITH COMMENTS.**
- ** MS. SCHAEFER SECONDED THE MOTION.**
- ** THE MOTION PASSED UNANIMOUSLY.**

3. 69 Bluff Avenue, 3-18CAM application

Dr. Pinto stated that the applicant proposes to construct a new single family residence, driveway, raised terrace, spa, and related improvements on the existing developed property. The property has 2 drainage subareas. Subarea 1 exhibits a sheet-flow discharge across the property to Wilson Cove. Subarea 2 exhibits sheet-flow discharge across the property to Bluff Ave. Portions of subarea 2 will be collected in an underground detention system gallery.

- ** MR. GARDELLA MOVED TO APPROVE THE 69 BLUFF AVENUE 3-18CAM APPLICATION WITH COMMENTS.**
- ** MS. SCHAEFER SECONDED THE MOTION.**
- ** THE MOTION PASSED UNANIMOUSLY.**

4. 20 Shore haven Road, 4-18CAM application

Dr. Pinto stated that the applicant proposes to demolish existing structure and reconstruct a single family residence, swimming pool, and other site improvements within an AE12 flood zone. A new storm water management system is proposed to enhance existing conditions. He stated that the drainage

system includes underground infiltration galleries, rain garden, and on-grade discharge of rooftop runoff water.

**** MR. GARDELLA MOVED TO APPROVE THE 20 SHOREHAVEN ROAD, 4-18CAM APPLICATION WITH COMMENTS.**

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

**** THE MOTION PASSED UNANIMOUSLY.**

5. CT DEEP Notice of Tentative Determination to Approve Structures, Dredging and Fill and Tidal Wetlands and Water Quality Certificate and Intent to Waive Public Hearing: Application 201708100.

Dr. Pinto stated that the CT Department of Transportation seeks a permit to install a temporary submarine signal and communications cable across Norwalk Harbor upstream of the Walk Bridge. He stated that the NHMC previously reviewed the Applicant's pre-application plans, and had no objection to their inclusion in a permit application to DEEP. He stated that the NHMC reserved its right to review the plans at such times as the DEEP Public Notice is issued.

Dr. Pinto stated that weighted curtains should be used while the work is being done. He stated that we would like water quality to be measured prior to work being started. We would also like to be analyzed while the work is being done and after it is completed.

Dr. Pinto stated that we have no objection to the proposal provided the excavation is done on a slack or incoming tide.

**** MR. GARDELLA MOVED TO EXPRESS NO OBJECTION TO CT DEEP NOTICE OF TENTATIVE DETERMINATION TO APPROVE STRUCTURES, DREDGING AND FILL AND TIDAL WETLANDS AND WATER QUALITY CERTIFICATE AND INTENT TO WAIVE PUBLIC HEARING: APPLICATION 201708100 WITH COMMENTS.**

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

**** THE MOTION PASSED UNANIMOUSLY.**

6. Norwalk Center Neighborhood Plan, Norwalk Redevelopment Agency.

Dr. Pinto stated that the Norwalk Center Neighborhood Plan discusses visions, policies and actions for property redevelopment and capital investments, including zoning changes affecting the upper harbor waterfront. The proposal combines these neighborhoods and expands the boundaries to include the industrial waterfront to the east of the original plan boundaries. He stated that the plan affects the upper harbor waterfront and therefore is subject to review by the NHMC for consistency with the Norwalk Harbor Management Plan. The waterfront area along the Wall Street-West Avenue neighborhoods is subject to flooding and is designated within the Federal Emergency Management Agency (FEMA)-100-year flood zone.

Dr. Pinto stated that there are significant risks for environmental contamination entering the Norwalk River during flood events which include flooding of many historic properties within the Wall Street Historic District. In view of the visions, policies, and recommendations put forth by this plan that

includes development along and within boundaries of the Coastal Management Area, elements of the Norwalk Harbor Management Plan need to be considered and integrated within this proposal.

Dr. Pinto stated that future plan developments and building applications need to be reviewed for consistency with the Norwalk Harbor Management Plan. Previously, the NHMC expressed concern about the effect of the proposed rezoning on existing water-dependent uses and future water-dependent development opportunities in the upper harbor.

Dr. Pinto stated that we cannot make a favorable recommendation at this time.

**** MR. SANTELLA MOVED TO ACCEPT THE COMMENTS OF THE APPLICATION REVIEW COMMITTEE.**

**** MR. MOBILIA SECONDED THE MOTION.**

**** THE MOTION PASSED UNANIMOUSLY.**

7. Sono Redesign District: Zoning Commission Proposal for Increased Density and Usage.

Dr. Pinto stated that the Zoning Commission proposes to expand the SONO Station Design District to encompass a larger area of S. Norwalk. Affected properties are located within the Coastal Management Area and include Water Street, Elizabeth Street, Day Street, and Concord Street among others. The proposed redistricting will encompass a total of 54.13 acres around the SONO Train Station.

Dr. Pinto stated that because the proposal encourages higher density development to include taller buildings, increased parking facilities, along with increased impervious surfaces, roof top runoff, drainage considerations, storm water management and catch basins need consideration to accommodate increased density of structures, people, and automobiles that will impact Norwalk Harbor.

Dr. Pinto stated that we will reiterate our previous comments to the applicant.

**** MR. SANTELLA MOVED TO ACCEPT THE COMMENTS OF THE APPLICATION REVIEW COMMITTEE.**

**** MR. MOBILIA SECONDED THE MOTION.**

**** THE MOTION PASSED UNANIMOUSLY.**

8. Status of the I-95 Yankee Doodle Bridge

Dr. Pinto stated that new plans propose to mitigate storm water runoff from bridge deck and treatment of water prior to entry into Norwalk Harbor.

9. Village Creek Dredging Application

Dr. Pinto stated that the project includes maintenance dredging of 125,662 sf. area that contains a total dredge volume with 1 ft. over dredge of 24,552 cubic yards.

b. Mooring

Mr. Santella stated that the Mooring Committee continues to monitor and address issues and concerns from applicants for the 2018 Season. He stated that 24 applications have been approved. 38 renewals are under review, and 21 applications are under review. Mr. Santella stated that mooring tags have been ordered and will be installed to the mooring ball of approved applications.

Harbor Safety

Sgt. LaPak stated we are limited in our ability to regulate or remove vessels in marinas that are unsafe. There are regulations that can only be enforced when the vessel is underway and not at the dock. We are looking to address the issue with the help of DEEP.

c. Finance

No report was given.

d. Plans and Recommendations

No report was given.

e. Newsletter / Web site

Ms. Schaefer stated that we should aim to release a new edition of the newsletter by Memorial Day.

g. Water Quality

No report was given.

h. Bridges

No report was given.

7. APPROVAL OF MINUTES

February 28, 2018

Page 6 Add "meeting with the DOT when he receives it from the DOT."

- ** MR. MOBILIA MOVED TO APPROVE THE FEBRUARY 28, 2018 MINUTES AS AMENDED.
- ** MR. CRESPO SECONDED THE MOTION.
- ** THE MOTION PASSED WITH THREE ABSTENTIONS (MS. SCHAEFER, MR. SANTELLA, AND MR. PERELLA).

8. NEW BUSINESS / OLD BUSINESS

Mr. Perella stated that he would like to have the Water Quality Committee started. Mr. Perella stated that he would like the Commission to prepare a short presentation to give to the Common Council. He stated that the presentation would highlight some of the things we have done in the past and what we are now working on.

9. ADJOURNMENT

**** MR. SANTELLA MOVED TO ADJOURN.
** MS. SCHAEFER SECONDED THE MOTION.
** THE MOTION PASSED UNANIMOUSLY.**

The meeting was adjourned at 9:16 p. m.

Respectfully submitted,

Tom Blaney