

**CITY OF NORWALK  
HARBOR MANAGEMENT COMMISSION  
OCTOBER 24, 2018**

**ATTENDANCE:** Joseph Perella; John Romano; John Crespo; William Gardella; Anthony Mobilia; John Pinto; Dennis Santella; Jan Schaefer

**ABSENT:** Dennis Santella; Anthony Aitoro

**STAFF/OTHER:** Geoff Steadman, Consultant; Steve Bartuch, Pete Johnson, Shellfish Commission; Joe Schnierlein

**1. CALL TO ORDER/PLEDGE**

Mr. Perella called the meeting to order at 7:36 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 the mayor signed a letter stating that the City does not have any objections to the Eversource transmission line. The Common Council voted to authorize the Mayor to sign the letter even though several commissions had objections.

Mr. Perella stated that we had reached out to council members and educated them on the issues we are concerned with, and they still voted against us.

**4. STAFF REPORTS:**

**a. Harbor Master**

No report was given.

**b. Consultant**

No report was given.

**5. SHELLFISH COMMISSION**

Mr. Bartuch gave the Shellfish Commission report as follows:

1. 13.24" of rain in September, 31-year average is 4.72"
  - a. Three closures for Cooke's Ground (for over 0.5"). September 10, 18, 25.

- b. Three closures in the CAA (1-1.49"). September 10, 18, 25.
  - c. Three closures in the CAAIDN (>1.5"). September 10, 18, 25.
  - d. Several bypasses reported for September 25 as of October 4.
  - e. 977 September Advisory hotline [(203) 838-9807] calls.
    - i. Norwalk & Westport: Recreational shellfishing OPEN as of October 20.
    - ii. Darien Recreational shellfishing CLOSED.
2. Green's Ledge Lighthouse Dock Application
- a. Leased shellfish beds issue still unresolved via on-paper statements.
    - i. New design submitted. Currently tabled per above.
3. 26 Shorefront Park violations on Hartford desk NOV #LIS-2018-4009-V
- i. Compliance Statement submitted by applicant.
  - ii. Applicant to submit permit application to retain the work.
  - iii. Snapshot from NOV . pdf

Within 90 calendar days of issuance of this Notice, you must submit a permit application to seek authorization to retain the work completed at the site out of compliance with the issued COP provided that you can demonstrate that the work completed was necessary and unavoidable, and consistent with applicable statutory criteria. Any submitted application must include removal of the two large stones from the tidal wetlands. Permit application material can be downloaded at <http://www.ct.gov/dep>. In accordance with CGS section 22a-361(a)(2), you will need to pay four times the application fee for seeking authorization for the structures installed past 1995. In addition, the Department will require you and your contractor to enter into a Consent Order and pay a civil penalty for the unauthorized work completed at the site prior to the issuance of any authorization, and

- 4. Scope of work discussion; proposal request to Mr. Hart. \$2,500.00/50% approved.
- 5. Common Council letter approval, subsequent submittal and presentations.
- 6. Meeting with City Grants Coordinator Josh Morgan regarding water quality.
- 7. Comments were made for TMDL project for Norwalk River watershed. There were glaring mistakes made with dated data that had to be updated.
- 8. CT DOT next two meetings will be held.
- 9. 30 Shorefront Park dock application; site visit date TBA.
- 10. Next Meeting: Thursday, November 1, 2018 10:00; Health Department Second Floor Library.

## **6. COMMITTEE REPORTS**

### **a. Application Review**

City of Norwalk  
 Harbor Management Commission  
 October 24, 2018  
 Page 2 of

1. 1 Gregory Court, East Norwalk, CT; Application for variance.

Dr. Pinto stated that the applicant is re-submitting previously reviewed variance application due to inability to meet minimum building codes and FEMA requirements. Applicant is seeking a 4.4 foot variance to build a new residence using the previous construction foot print.

Dr. Pinto stated that nothing in the application was changed regarding effluent and storm water runoff from the land. He stated that we agreed to resubmit our previous response that we had in April to the Zoning Commission and the Zoning Board of Appeals.

**\*\* MR. ROMANO MOVED TO APPROVE THE 1 GREGORY COURT APPLICATION WITH COMMENTS.**  
**\*\* MR. GARDELLA SECONDED THE MOTION.**  
**\*\* THE MOTION PASSED UNANIMOUSLY.**

## **2. 87 East Avenue, East Norwalk, CT; CAM Application**

Dr. Pinto stated that BPC Capital Management proposes to convert the property located at 87 East Avenue from a two-unit multi-family property to a six residential facility in an expanded building. He stated that the location is directly across the street from Collins Funeral Home. Dr. Pinto stated that all of the storm water runoff will be captured. There will be landscaping on the property.

**\*\* MR. GARDELLA MOVED TO APPROVE THE 87 EAST AVENUE APPLICATION WITH COMMENTS.**  
**\*\* MR. ROMANO SECONDED THE MOTION.**  
**\*\* THE MOTION PASSED UNANIMOUSLY.**

## **3. Walk Bridge Project:**

Dr. Pinto stated that a CTDOT packet was sent to NOAA for consultation on the Walk Bridge Project. These diagrams in the packet are representations of the work that will be proposed for the WALK Bridge replacement. CTDOT needs to start discussing the project and wants to vet out early concerns. CTDOT wants to develop workable solutions to any problems we may have on the project that impact the Harbor.

Dr. Pinto stated that the Structures and Dredging Application designs are still being developed and should be distributed to the NHMC and NSC within a month. The enclosed pdf files are for review in preparation of the formal application and meetings that DOT requested to have with the Commission at the November and December Application Review Committee meetings.

Dr. Pinto stated that we need to find a consultant that can look at the packet and provide a review for us. Mr. Tom Hart could review part of the project. We would cover \$2,500/50% of the cost of the report with the Shellfish Commission covering the other 50%.

- \*\* MR. ROMANO MOVED TO APPROVE A WALK BRIDGE REPORT BY MR. TOM HART IN THE AMOUNT OF \$2,500/50% OF THE COST OF THE PROJECT.
- \*\* MS. SCHAEFER SECONDED THE MOTION.
- \*\* THE MOTION PASSED UNANIMOUSLY.

**4. Eversource Transmission line relocation proposal. Discussion of new pre-application proposal by Eversource for relocating two 115 kV powerlines under Norwalk Harbor.**

Dr. Pinto stated that we are waiting to hear about the meeting that DEEP had with the DOT. The decision is now in the hands of the DOT and the Siting Council.

**b. Mooring and Harbor Safety**

No report was given.

**c. Finance**

Mr. Romano stated that Mr. Aitoro's term will be finishing in December. We will need to find a replacement.

**d. Plans and Recommendations**

Ms. Schaefer stated that we have gone through a number of drafts with the POCD. Two days ago, we got a link to the latest draft. All of us should read through the document and send Ms. Schaefer comments. We will submit Harbor Commission comments.

Ms. Schaefer stated that the POCD will have to become before this commission for approval. It is in their best interest to involve us in the process.

**f. Newsletter / Web site**

Ms. Schaefer stated that we are putting together a newsletter in time for the State of the Harbor meeting.

**g Water Quality**

Mr. Schnierlein stated that we have added a DEEP staff member to the committee to serve as their liaison.

Mr. Schnierlein stated that Aquarion is submitting a permit to draw down Norwalk River by 10%. They will be tapping a well in Cannondale that was constructed in the 1980s. The well was tested in 1984, but they do not know how much rainfall we had that year. Therefore, we do not know if the river could withstand drought conditions.

Mr. Schnierlein stated that DEEP may have water quality equipment that can be rented. They also may be able to monitor the equipment for us.

#### **h. Bridges**

No report was given.

### **7. APPROVAL OF MINUTES**

**September 25, 2018**

- \*\* MR. ROMANO MOVED TO APPROVE THE SEPTEMBER 25, 2018 MINUTES AS SUBMITTED.**
- \*\* MR. GARDELLA SECONDED THE MOTION.**
- \*\* THE MOTION PASSED WITH FIVE VOTES IN FAVOR AND ONE ABSTENTION (MR. PERELLA).**

### **8. NEW BUSINESS / OLD BUSINESS**

Mr. Mobilia stated that we need nominees for the Dunavan Award. We also need to decide on the Agenda for the State of the Harbor.

### **9. ADJOURNMENT**

- \*\* MR. ROMANO MOVED TO ADJOURN.**
- \*\* MS. SCHAEFER SECONDED THE MOTION.**
- \*\* THE MOTION PASSED UNANIMOUSLY.**

The meeting was adjourned at 9:01 p. m.

Respectfully submitted,

Tom Blaney  
Telesco Secretarial Services