

**CITY OF NORWALK  
HARBOR MANAGEMENT COMMISSION  
SEPTEMBER 25, 2019**

ATTENDANCE: John Romano, NHMC Chair; William Gardella Sr.,  
Alan Kibbe, Christopher MacDonnell; Anthony Mobilia; Dr. John Pinto;  
Dennis Santella

ABSENT/EXCUSED: John Crespo

STAFF: Geoff Steadman, Consultant

OTHERS: Peter Johnson, Shellfish Commission;  
Steve Bartush, Shellfish Commission;  
Joe Schnierlein, Water Quality Committee  
Wes Oliver, Norwalk Yacht Club

1. **CALL TO ORDER/PLEDGE**

Mr. Romano called the meeting to order at 7:15 p.m. and led the Assembly in reciting the Pledge of Allegiance.

2. **ROLL CALL**

Mr. Romano called the Roll.

3. **CHAIRMAN'S REPORT**

Mr. Romano reported that a lot of good things are happening. The Norwalk Seaport has been active with different events. He asked if anyone talked to Harbor Master Scully about conducting tests of simulated docking maneuvers using the Maritime and Seaport Association excursion vessels. Dr. Pinto said it hasn't been done. Mr. Romano said it is a matter of coordination between the Seaport Association and The Maritime Aquarium and needs to be addressed. Mr. Mobilia noted that the Seaport is going to close Sheffield Island on October 15<sup>th</sup>, so it will be tough to get the boats out to simulate the maneuverability of the vessels. Dr. Pinto said they need to do a risk assessment for the area. They will place buoys based on the coordinates for the staging of construction barges. These vessels need to be placed somewhere and they have to come up with a plan.

4. **STAFF REPORTS:**

a. Harbor Master - Scully

Mr. Romano said that he and others held a discussion regarding comments from the Harbor Management Commission to be included in chapter 9 of the POCD and came up with a number of recommendations regarding coastal management. They submitted their comments to the DEEP for review and DEEP supported the Commission's amendments to the POCD. Dr. Pinto said he requested a meeting to discuss the recommendations, but did not hear back from Planning and Zoning. He said that the Common Council approved the POCD, but does not know if they included the Commission's comments. Mr. Romano said it is important that they recognize the authority of the Harbor Management Commission. He said the Commission needs to insist that they include the recommended language in the POCD.

b. Consultant - Steadman

Mr. Steadman did not have a specific report.

5. **SHELLFISH COMMISSION** - Johnson, Bartush

Mr. Bartush's report is as follows.



25 September 2019  
Norwalk Shellfish Commission  
137 East Avenue  
Norwalk, CT 06851

**Norwalk Shellfish Commission Report to Norwalk Harbor Management Commission:**

1. 4.53" of rain in August. 32-year average is 4.27"
  - a. Closures for Cooke's Ground (for over 0.5"). August 17, 19, 22, 28.
  - b. Closures in the CAA (1-1.49"). August 7, 19, 28.
  - c. Closures in the CAAIDN (>1.5"). August 28.
  - d. Bypass reports: 60 South Smith Street for storm flow.
    - i. August 19 (0.98 inches of rain: 30,000 gallons).
  - e. 950 Advisory hotline [(203) 838-9807] calls.
    - i. Commissions of Norwalk & Westport: Recreational shellfishing OPEN since 9/5.
    - ii. Town of Darien: Recreational shellfishing OPEN.
2. 26 Shorefront Park violations on DEEP NOV #LIS-2018-4009-V.
  - a. A higher resolution survey of the current as-built status with particular attention to the footprint.
  - b. A formal submission of a survey immediately before remediation actions were taken as a result of Mr. Zawoy's desk NOV.
  - c. Documentation from the agent/applicant indicating that all of the changes made to the original COP design were both necessary and unavoidable per the desk NOV terms.
3. 12 Shorehaven/67 Bluff/38 Shorefront Park need site inspections.
4. NSC Walk Bridge items.
  - a. Allowable NTUs and/or % over turbidity background.
  - b. Written post-turbidity exceedance investigation and action plans.
  - c. Initial/pre-construction sentinel stations data per #1 above. With consultant.
  - d. Telemetry and/or data reporting format and timing from sentinel stations.
  - e. Final dredging spoils haulout location(s). Currently Coastwise/Neptune site.
  - f. Work barge stationing. Industry rejects Sheffield Harbor site. NRG?
  - g. Possible inclusion of Eversource twin 115kV cables within/near DOT traction/comms/bridge power cut and cover.
  - h. Final written/charted low salt marsh remediation plans. Received.
5. Next Meeting: Thursday 3 October 2019 19:00: Health Department.

Mr. Johnson commented that he can't get a straight answer about whether or not the wastewater treatment plant can accommodate the new construction of apartment high rises and condominium units in Norwalk. Mr. Romano said that it is going to be a matter of wait and see. Mr. Johnson said that when they can't handle it, it will become an emergency.

**6. COMMITTEE REPORTS:**

**a. Application Review- Pinto**

Dr. Pinto reviewed the following application.

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**320 WILSON AVENUE CAM APPLICATION. THE APPLICANT, CRYSTAL LLC, PROPOSES TO REGRADE THE SITE TO BRING THE LOCATION TO AVERAGE GRADE LEVEL OF WILSON AVENUE. THE PROPERTY WILL BE PITCHED FOR VEHICULAR ACCESS, PARKING AND STORM WATER MANAGEMENT. THE PROPOSED NEW STRUCTURE WILL BE AN INDUSTRIAL BUILDING OF ~45,800 SQUARE FEET AND SERVICED BY NEW CONNECTIONS TO PUBLIC WATER, ELECTRICAL POWER, AND SANITARY SEWERS. STORMWATER RUNOFF FROM THE PARKING LOT AND BUILDING WILL BE DIRECTED TO HYDRODYNAMIC WATER QUALITY CHAMBERS AND THEN TO SUBSURFACE INFILTRATORS.**

- \*\* MR. GARDELLA MOVED TO APPROVE THE APPLICATION**
- \*\* MR. MOBILIA SECONDED**
- \*\* MOTION PASSED UNANIMOUSLY**

Dr. Pinto reviewed the following application.

**37 HIGH STREET CAM APPLICATION. THE APPLICANT, HIGH STREET, LLC PROPOSES TO CONSTRUCT AN ADDITIONAL FOUR-UNITS TO AN EXISTING THREE-FAMILY RESIDENCE FOR A TOTAL OF SEVEN UNITS. AN EXISTING ON-SITE STORMWATER MANAGEMENT SYSTEM WILL BE EXPANDED. THE APPLICANT CURRENTLY HAS EIGHT PRECAST CONCRETE GALLERIES (STORAGE CAPACITY 626 CF) FOR STORMWATER RETENTION AND WILL CONSTRUCT AN ADDITIONAL 12 CONCRETE GALLERIES (STORAGE CAPACITY 926 CF). MCCHORD ENGINEERING ASSOCIATES HAS DETERMINED THAT THE CURRENT AND PROPOSED ADDITION TO THE STORMWATER MAINTENANCE SYSTEM WILL ADEQUATELY CONTROL PEAK STORM SURGES AND RENOVATE STORMWATER RUNOFF.**

- \*\* MR. GARDELLA MOVED TO APPROVE THE PROJECT**
- \*\* MR. SANTELLA SECONDED**
- \*\* MOTION PASSED UNANIMOUSLY**

Mr. Bartush reported that the following application is on hold until the site plan is reviewed by the Shellfish Commission.

**12 SHOREHAVEN ROAD, DOCK APPLICATION. THE APPLICATION BY ECLYPSE HOLDINGS, LLC PROPOSES TO CONSTRUCT A 4' BY 105' PILING-SUPPORTED TIMBER PIER THAT WILL INCLUDE A 16,000 LB CAPACITY BOAT LIFT.**

Dr. Pinto reported that the following applications are on hold because additional information is required.

**26 SHOREFRONT PARK, COP RE-SUBMISSION. THE APPLICANT, MAXINE VIGNEAULT, HAS RE- SUBMITTED A CERTIFICATE OF PERMISSION TO RETAIN AN UNAUTHORIZED MODIFICATION OF THE COMPLETED WORK TO AN EXISTING STONE GROIN WHICH INCLUDED PLACEMENT OF 46 CYS OF ADDITIONAL STONE AND PLACEMENT OF TWO LARGE STONES WITHIN TIDAL WETLANDS. THIS APPLICATION HAS BEEN SUBMITTED TO COMPLY WITH CONSENT ORDER #LIS-2018-4009-V, PART B(3)A WHICH REQUIRES THE APPLICANT TO SUBMIT A COP APPLICATION TO AUTHORIZE THE UNAUTHORIZED WORK COMPLETED THAT ENTAILED PLACEMENT AND MODIFICATION OF ROCKS LOCATED AROUND ENTIRE PERIMETER OF THE EXISTING STONE GROIN (PARAGRAPH A.3E).**

**38 SHOREFRONT PARK, PERMIT APPLICATION. THE APPLICANT, MS. KATHLEEN OLSEN, PROPOSES TO CONSTRUCT A 4' BY 64' PILING-SUPPORTED TIMBER PIER, 3' BY 40' ALUMINUM RAMP, AND 8' BY 20' TIMBER FLOATING DOCK WITH FLOAT SKIDS FOR PRIVATE RECREATIONAL BOATING.**

**67 BLUFF AVENUE, DOCK APPLICATION. THE APPLICANT, RODERICK JOHNSON, PROPOSES TO CONSTRUCT A 4' BY 54' PILING-SUPPORTED TIMBER PIER, 4' BY 4' LANDING, 4' BY 7' STAIRS, 3.5' BY 36' ALUMINUM RAMP AND 8' BY 20' PILING-ANCHORED FLOATING DOCK. THE PROPOSED DOCK WILL BERTH A POWERBOAT AND EXTEND INTO WILSON COVE.**

Dr. Pinto reviewed the following presentation.

**CTDOT PRESENTATION: WALK BRIDGE PROJECT AND YANKEE DOODLE BRIDGE RESTORATION PROJECT. THE NHMC AND DOT WILL REVIEW INFORMATION GATHERED ON THE SIMULATED DOCKING MANEUVERS FOR MARITIME AND SEAPORT VESSEL RELOCATION. IN ADDITION, THE CONNECTICUT DOT WILL PRESENT PROJECT DOT 102-295 WHICH ENTAILS THE SAUGATUCK RIVER ALONG I-95 TO THE NORWALK RIVER –YANKEE DOODLE BRIDGE. DOT WILL REVIEW THE YANKEE DOODLE BRIDGE RESTORATION PROJECT, IN PARTICULAR, DRAINAGE IMPROVEMENTS/ UPGRADES AND A SMALL TIDAL MITIGATION AREA ALONG HENDRICKS AVE UNDER THE YANKEE DOODLE BRIDGE.**

Dr. Pinto explained that the DOT remediation plan for the I95 Yankee Doodle Bridge will entail removal the center grassy median running between Exits 16 and 17 along Interstate-95 and replacement with imperious roadway. Stormwater runoff from that section of I95 connecting the roadway between Exit 17 (Westport) to Yankee Doodle Bridge will be serviced by a drain piping

system that will channel stormwater runoff into a hydrodynamic system under Hendricks Avenue. They also plan to channel water flowing out of the hydrodynamic filter system to be further “filtered” through a grassy vegetative area prior to entry into Norwalk Harbor. The DOT plans to submit a formal application in November.

Dr. Pinto said the DOT sent in their WALK Bridge application to DEEP without a referral from the Harbor Management Commission. He and Mr. Bartush created and sent a letter to DEEP requesting a meeting to be held on September 30<sup>th</sup> at 10 am at DEEP headquarters in Hartford. He said there are issues that need to be discussed including vessel placement, barge placement and water quality.

Mr. MacDonnell said that what is ignored in their document is how they are going to remove the lead paint from the bridge. Dr. Pinto said that several years ago, a similar problem occurred when they “painted” the WALK Bridge which was only partially painted. Mr. Johnson said they do not indicate how they are going handle any dredged material. Dr. Pinto said DOT has addressed all of the Commission’s concerns/questions.

Dr. Pinto said an outstanding issue remains to be resolved i.e., the Eversource transmission line repositioning. He said that he and Mr. Bartush sent a number of emails and phone messages to Mr. Carr (DPW Director) to ask whether he received information from Eversource regarding their plans to dig under City property. He said his next phone call will be to Mayor Rilling to find out if Eversource contacted anyone in the City. Mr. Bartush said there may have been infrastructure discussions between the City and Eversource, but they are not privy to those discussions.

Dr. Pinto said he did not understand why a side-by-side conduit involving channeling the Railroad powerlines and the Eversource transmission lines could not be constructed. Mr. MacDonnell said the cut and cover method will start at IMAX. There is no room to bring it through the south side. They need big sweeping turns for the conduits but junction boxes can be used. Mr. Johnson said they are planning to start from behind the Police Station to the Factory Outlet Stores off Fort Point Street. He added that they can put a junction there. The wires are in a single pipe. It is two circuits.

Mr. Steadman explained that the DEEP requires that all applications be submitted to a Harbor Management Commission, if one exists. He also pointed out that there is no statute that requires the Harbor Management Commission to act within a certain number of days.

**D (*POSTPONED*) O&G INDUSTRIES. COP APPLICATION. THE APPLICANT PROPOSES TO COMPLETE DREDGING OF PRE-EXISTING CONTAMINATED MATERIAL WITHIN THE NORWALK RIVER IN THE VICINITY OF 34-50 SMITH STREET THAT ACCORDING TO DEEP MUST BE REMEDIATED. APPROXIMATELY 1,290 CYS OF CONTAMINATED SEDIMENT ARE TO BE DREDGED, UTILIZING A LONG REACH HYDRAULIC EXCAVATOR OPERATED FROM A SPUD BARGE. THE**

**ENTIRE BARGE WILL BE MANEUVERING WITHIN A MOVABLE BOOMED TURBIDITY CURTAIN. DREDGED MATERIAL WILL BE PLACED INTO A SEALED BOTTOM SCOW OR REMOVED TO A CONTAINED DEWATERING AREA ON THE UPLAND AGGREGATE STORAGE AREA PRIOR TO DISPOSAL AT AN APPROPRIATE UPLAND WASTE FACILITY. THIS LATTER APPROACH IS CONTINGENT UPON RECEIVING ACOE/DEEP PERMISSION FOR OPEN WATER DISPOSAL. IN ADDITION, THE APPLICATION PROPOSES TO COMPLETE MAINTENANCE DREDGING OF AN ADDITIONAL 1,010 CYS ALONG THE BARGE BERTHING AREA AND BULKHEAD OF 34 SMITH STREET.**

b. Mooring and Harbor Safety - Santella

Mr. Santella's report dated September 25, 2019 is as follows:

Mooring Committee

- Activity is less this time of year and the Committee continues to review each application for compliance and address issues and concerns from applicants for this season.
- 51 Approved applications.
- 37 Renewals under review.
- 20 Applications under review.
- We continue to work with the Harbor Master to coordinate the application information with the actual use of the mooring.

Harbor Safety

- No report

Mr. Romano suggested using the drone to be sure they have an accurate account of the number of boats moored in Norwalk Harbor.

c. Finance - Mobilia

Mr. Mobilia reviewed the Commission's finances and said the City controller's office gives him a running tally. As of December 31, 2018, they had \$25,509. On September 24, 2019 they had \$13,610. He said that all of the bills that have been presented have been paid.

d. Plans and Recommendations –

There was no report this evening.

e. Newsletter / Web site –

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Mr. Kibbe said the last newsletter was in the winter of 2018. He asked who should get the newsletter and who the audience was. Mr. Romano said it should go out to all the water users and posted on the City of Norwalk website. It should also go to local clubs as well as Long Island clubs. The Commissioners discussed topics.

The Commissioners discussed the Eversource placement. Mr. Romano said there has been total avoidance on the part of Eversource. Mr. MacDonnell said that if there are issues, they need to be discussed with the Corporation Counsel. Mr. Romano said the Corporation Counsel pushed the Common Council to vote in favor of the Eversource proposal. The Commissioners discussed the Eversource proposal for the WALK Bridge project. Mr. Romano said that to mitigate any proposed future plans, they may need to dredge and add more docks.

Mr. Kibbe said there needs to be a plan of use for the Visitor's Dock area and Launch Ramps. Dr. Pinto said they need an accommodation for the people who are going to be displaced. The Maritime Aquarium vessel does not want to be at the City dock because of security issues. Mr. Romano said the Marine Police may be moving to south of the bridge.

Mr. Mobilia asked Mr. Kibbe to include an article about Mr. Frank Strauch (Site Planner for Planning and Zoning) who worked with the Commission and recently passed away.

f. Water Quality

Mr. Schnierlein's report is as follows:

We have not received any update on the status of the State's directions for PFAS and PFOS updates. This is supposed to be done by the end of October.

The Committee agreed to sign on to a letter to the governor to cancel the registration of chlopyrifos, which is a toxic pesticide linked to serious health and environmental concerns. We requested that the following be included in the letter ***"Since many golf courses are near or on water ways which lead to Long Island Sound. Also due to the flooding that is happening with greater frequency the use of this pesticide around homes could also make its way to Long Island Sound. We have a special concern that this compound could end up bioaccumulating in fish and shellfish, which is a major industry in Connecticut."***

There is a strong interest by the committee in resurrecting the Norwalk River Water shed Initiative with Wilton, Ridgefield, Georgetown, and interested groups (Trout Unlimited, Westport Nature Center, etc.). We were initially told this would be done by September by a staff member, but it has not been done so far. Chris Malik stated he would help to see if there is an interest.

August 31<sup>st</sup>, three trucks from Clean Harbor were noticed on Rt. 7, just above the Merritt Parkway on the side of the road next to the Norwalk River. We questioned whether there was a spill on the Norwalk River? There was no knowledge of such.



g. Bridges - Mobilia

There was no report this evening.

7. **APPROVAL OF MINUTES**

**\*\* MR. MOBILIA MOVED TO APPROVE THE MINUTES AS AMENDED  
\*\* DR. PINTO SECONDED  
\*\* MOTION PASSED UNANIMOUSLY**

8. **NEW BUSINESS / OLD BUSINESS**

The Commissioners will start to think about the State of the Harbor meeting and the David Dunavan award.

The Commissioners discussed the following dates:

November 20, 2019 Harbor Management Commission Meeting  
December 11, 2019 State of the Harbor meeting

9. **ADJOURNMENT**

**\*\* DR. PINTO MOVED TO ADJOURN  
\*\* MR. KIBBE SECONDED  
\*\* MOTION PASSED UNANIMOUSLY**

There was no further business and the meeting was unanimously adjourned at 9:03 p.m.

Respectfully submitted,

Rosemarie Lombardi  
Telesco Secretarial Services