

**City of Norwalk  
Harbor Management Commission  
Application Review Committee  
Regular Meeting  
October 23, 2019**

ATTENDANCE: John Romano, NHMC Chair; William T. Gardella, Sr., Alan Kibbe

ABSENT/EXCUSED: Christopher MacDonnell, Jeffrey Mangels, Tony Mobilia, John Pinto, Dennis Santella

STAFF: Geoff Steadman, Consultant

OTHERS: Steve Bartush, Shellfish Commission; Pete Johnson, Shellfish Commission

**CHAIRMAN'S REPORT**

Chairman Romano began the meeting at 6:32 PM by discussing the “Norwalk Harbor Management Commission / Application Review Committee Meeting, 10/23/19”, copy and pasted here as follows:

**“12 Shorehaven Road, Dock Pre-Application permit.** The pre-application by Eclipse Holdings, LLC proposes to construct a 4' by 105' piling-supported timber pier that will include a 16,000 lb capacity boat lift. Notice of violations need to be resolved.

**38 Shorefront Park, Dock Pre-Application permit.** 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 Pre-Application permit.** 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 extent into Wilson Cove.

**(Postponed Applications due to Applicant's request and/or insufficient information)**

**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).

**25 VanZant Street CAM Application:** The Applicant, Wintrop Baum, proposes to re-model an existing Office Building (mixed use, industrial 1) to house several Trade Schools within a newly designed Workforce Training Center (230, 000 sq ft). Several proposed tenants that will occupy space will provide vocational, remedial, and technical

training that will include but not be limited to such professions as Auto Mechanics, Welding, Plumbing, Electrical, Cosmetology/Hair Dressing, Nursing, Medical Assistants, Robotics, English as a Second Language, Information Technology, Carpentry, and Real Estate.

**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.

**9-13 Leonard Street, Norwalk CT.** CAM application. Leonard Street Associates, LLC (application). The applicant proposes to construct a new, 28-unit, 5 story mixed use facility (residential and commercial spaces). New site construction will increase impervious surface as well as stormwater runoff and peak volume flow. Off-street parking on the first floor and under the structure are proposed along with a new drainage system that will include a subsurface detention/retention system to attenuate storm water runoff.

John Thomas Pinto  
Chairman, Application Review Committee Norwalk Harbor Management Commission”

## **COMMITTEE AGENDA**

### **12 Shorehaven Road, Dock Application**

Mr. Romano brought up the notice of violation, which is to be resolved. Mr. Bartush said that he wasn't aware of any site inspection for the dock in question. Mr. Johnson mentioned that this property is one of the houses where the Knights of Columbus used to be. Mr. Romano remembered that all the items were towed into the dock and that the Knights of Columbus and the Jewish Center were close to each other. Mr. Johnson made note that the shellfish beds are really close to shore.

The site was inspected today by Commissioner Satchinello. Mr. Bartush explained that the inspection couldn't offer an accurate measure and that the wish list would be there if there was a statutory requirement.

Mr. Steadman said that they have no objection to move forward with app and they reserve the right to review it. There is no indication that the plans have been prepared by an engineer, and that comments are forthcoming by Shellfish Commission. Mr. Romano said that they can send their referral slip independently.

### **38 Shorefront Park, Permit Application**

Mr. Romano began discussing the matter by mentioned that the review committee use the same language as for 12 Shorehaven Road. Mr. Bartush said that this property is in the area of an active oyster bed. The Shellfish Commission would recommend the pier end to be marked at the end of the last spartina clump. Mr. Bartush explained that they would need to compare this property to 30 Shorefront Park because they think they should be about the same size.

Mr. Steadman asserted that they have a letter from nearby residents, who are located on 52 Shorefront Road. The residents have argued that there are 12 homes in the area, but that there is no dock. The neighbors have preserved this area by not building on it. Mr. Steadman anticipates that these residents will likely begin objecting to this permit. Mr. Romano supposed that the neighbors would be interested in preserving the view as well.

Mr. Romano stated that he was confused about the way the application was written, because the complaint was made about 52 Shorefront, and that the pre-application had no objection associated with it. Mr. Bartush said that the Shellfish Commission had made a sightline comment on 52 Shorefront, and that there was a structure for horseshoe crab habitat preservation there. Mr. Bartush said that they would include pictures in the future.

### **67 Bluff Avenue, Dock Application**

Mr. Bartush began by saying that there were no issues, except following what Mr. Steadman had said previously. He said the terminus should be landward of where the jetty ends, and that the jetties look shorter than they appear on the drawing to which they were referring. Mr. Bartush said that this would allow for permanent seed oystering.

Mr. Steadman said that they can meet the guidelines of a 20-foot setback. Since the proposed dock is going on beyond the jetty extension, the Application Review Committee can use the same language as the others. It was also noted that this structure requires winter removal.

### **26 Shorefront Park, COP re-submission**

Mr. Bartush said that the State via Ms. Sue Bailey has asked for additional information from the applicant. He said those requests closely match those of the Shellfish Commission. He said the deadline is about the second week of November. He said that the Shellfish Commission's comments will be based on the answers to those questions from the State.

### **25 VanZandt Street CAM Application**

Mr. Romano said that the application is incomplete, and that it shows that the applicant(s) we're not ready to react. He said the DOT/Yankee Doodle Highway drawings need to be addressed.

\*\*\*Mr. Steadman moves to vote on this application

\*\*\*Motion seconded

\*\*\*MOTION TO ADD TO THE REVIEW OF THE YANKEE DOODLE BRIDGE DRAWINGS passed

Mr. Steadman continued by saying they discussed this matter last month and mentioned improving the road surface all the way to Westport. He said the drainage from that roadway enters the harbor. He said in 2007, or 12 years ago, there was a discussion with the Department of Transportation, and they were agreeable to drainage improvements. He explained that they changed a few years ago, but remained disagreeable to proposed improvements. Mr. Steadman said that the DOT has made substantial improvements of water drainage management ever since the Harbor Management Committee did a study and report on the subject. Mr. Steadman thought that the App Review Committee could pass the same motion in order to review their right to review the drawings and make normal water quality comments on them.

Mr. Romano said that this is a conversation to be had with the Watershed Group and that they are happy with this. Mr. Steadman said that this is the result of Harbor Management working with the Department of Transportation, and they would have objections to this moving forward. Mr. Romano said that the Committee would have to find a place to dump the dredged pre-existing contaminated material. Mr. Steadman stated that they propose to truck it out by barge, and that they need Planning & Zoning approval. Mr. Romano noted that this area will enjoy the brand new apartments. Mr. Bartush commented that there is nothing a new apartment won't fix. Mr. Gardella spoke about the photochemical place that used to be there, near the head of the harbor project. He said they currently store trucks there, and that they cannot use the Smith Street area, so they use the one by the funeral home. Mr. Johnson confirmed that Smith Street is gone.

### **9-13 Leonard Street, Norwalk CT, CAM Application**

Mr. Romano asked why this application was on hold, since the Committee has reviewed it before. Mr. Kibbe said there is extraneous material deposits on the roof, including roof building materials and collected water and the concern is that some contaminants may reach the waterways of Norwalk.

Mr. Steadman provided the language for **12 Shorehaven Road, Dock Application, 38 Shorefront Park, Permit Application, 67 Bluff Avenue, Dock Application** as follows:

“No objection to the applicant’s plans being included in an application to DEEP and we reserve our right to continue to review the proposal at such time as it may be modified, additional information is provided, and the proposal is the subject of a Public Notice of Hearing

In addition, the Commission provides the following comments to the Applicant and DEEP.

- 1) There is no indication that the project plans have been prepared by a professional engineer or land surveyor.
- 2) The Commission understands that comments and recommendations from the Shellfish Commission are forthcoming. Those comments and recommendation should be addressed by DEEP and the applicant in the review process.”

\*\*\*Mr. Steadman motioned to add to the Agenda

\*\*\*MOTION TO ADD TO THE AGENDA

\*\*\*Motion passed with unanimous vote.

Mr. Steadman continued by discussing the pre-application plans by CT DOT for median reconstruction and resurfacing of I-95 in Norwalk and Westport, with drainage into Norwalk Harbor. He referred to State Project No. 102-295. The Commission has no objection the Applicants’ plans being included in a permit application to DEEP and they reserve their right to continue to review the proposal at such times it may be modified, additional information is provided, or the proposal is the subject of a Public Notice or Hearing. In addition, the Commission agreed to provide its standard comments in support of Best Management Practices to manage stormwater and protect and improve water quality in Norwalk Harbor.

\*\*\*Mr. Vartush motioned for the meeting to adjourn

\*\*\*Mr. Johnson seconded

\*\*\*MOTION TO ADJOURN APPROVED

Meeting ends at 7:00 PM

Respectfully submitted,

E.A.Sheils

Telesco Secretarial Services