

CITY OF NORWALK
JOINT MEETING OF THE APPLICATION REVIEW COMMITTEE AND THE
HARBOR MANAGEMENT COMMISSION
September 23, 2020

ATTENDANCE: Dr. John Pinto, Chairman Application Review; John C. Romano, Chairman, Alan Kibbe, Chris MacDonnell, John Crespo, Dennis Santella, Jeff Mangels, Matt Gifford

STAFF: Geoff Steadman, Consultant; Peter Johnson, Shellfish Commission, Steve Bartush, Shellfish Commission, Joe Schnierlein, Water Quality, Bryan Baker, City of Norwalk Land Use Planner

1. CALL TO ORDER/PLEDGE

The meeting was called to order at 5:02 p.m. by Mr. Romano.

The Commission recited the Pledge of Allegiance.

2. ROLL CALL

Mr. Romano called the roll a quorum was present.

3. APPLICATION REVIEW COMMITTEE – DR. PINTO

Discussion of Standing Action Items:

DOT's plans to:

- 1) relocate Maritime Aquarium and Seaport Association excursion vessels (Risk assessment data).
- 2) station work barges at 68 and 90 South Water Street (need to build bulk head for property enhancement).
- 3) include and utilize Manresa Island as a staging and storage area (Review of public comment).
- 4) require Eversource to replace transmission cables.
- 5) provide supplemental water quality data.

Mr. Romano turned the meeting over to Dr. Pinto of Application Review. Dr. Pinto said they were awaiting risk assessment data from the DOT test trial from June.

He said they had a trial run with regard to docking of the vessels. Mr. Romano said Bruce Lovallo, Deputy Harbor Master, was unable to attend the meeting. Mr. Johnson said there is no buffer zone between the vessels and construction barges and added they

are going to be right up against the boats. Dr. Pinto the Harbor Management Commission, the Harbor Master and the Coast Guard will be concerned about this.

Dr. Pinto said Mr. Steadman had sent him an article about a similar risk assessment regarding construction of a dock in New London. Mr. Steadman said to be fair to the DOT we asked them some time ago to provide a risk assessment and said they are doing that. He said the article referred to a comment by Lieutenant Jennifer Sheehy of the US Coast Guard, New Haven. She said the Coast Guard would want to see a navigational risk assessment. Mr. Steadman said the channel width was similar and this could apply to Norwalk Harbor. He said they would accept the Harbor Master's opinion. We want to see what the DOT comes up with and provide our comments after that to DEEP.

Mr. Steadman said the issue is when will DOT put out a public notice. He said if we wait another 30 days and we are expecting that a public notice will not be released until we provide our comments. Dr. Pinto said we stand by our previous disagreement about keeping the vessels between the bridges.

Mr. Steadman said we are of the view that the Harbor Master has the sole authority about the stationing of the vessels.

Mr. MacDonnell asked if the Coast Guard would issue the final permit at the end of all of this process and could overrule DEEP. Mr. Steadman said the state permit is different than that of the federal permit. Mr. MacDonnell said the permit cannot go forward without a Coast Guard approval. Mr. Steadman said that is correct.

Dr. Pinto addressed the bulkhead to be built at the staging areas at 68 Water Street and 90 Water Street after the project is completed. Dr. Pinto questioned why bulkheads were needed after the project. He said that DOT implied they wanted to enhance the property value. Mr. Steadman said that a previous meeting with the DOT project team Mr. Fallon (DOT project leader) mentioned that building of the bulkheads is not related to the bridge project. In the more recent meeting, DOT said it was a contingency in case that area was needed for staging.

Mr. Steadman said we need further information on this issue.

Dr. Pinto said the DOT might be covering all their bases in case they do not get Manresa Island for staging as this has not been finalized as of this date.

Mr. Gifford had a question about Manresa, he asked if there was a time frame for the agencies to respond to the commission's questions? He asked whether there has to be a time frame and whether DOT laid out a work schedule. Dr. Pinto said that tends to be the case that they wait for the last minute. Dr. Pinto added there are a lot of moving parts that could be causing them to keep options open. Mr. Gifford added that he is concerned

the commission has a commitment to the City of Norwalk to review these marine related issues offering the City clear paths forward and any suggested concerns. Without any of these requested answers the commission is not truly able to complete this level of review or understand exactly what they are doing until it is too late for comments. A number of uncertainties remain: Timing of movement of the maritime and seaport vessels, removal of Eversource's high tension wires, whether they have an agreement to use Manresa Island, obtaining water quality data, and staging of their work barges in the harbor.

Mr. Kibbe said we the Commission should go on record about things that have not been decided and we are awaiting information.

Mr. Gifford said we should bring up our frustrations at a city level. Mr. Steadman said we wrote to DEEP after the last meeting and he said we should write them again to not to do a public notice until the Commission has the necessary information from DOT. He added the Corps of Engineers, DOT and Eversource need approval with the potential for 5 public hearings.

Mr. Johnson said before Eversource can do anything they have to get the communication cable underwater. Dr. Pinto said they could dismantle the wires and take them down. Mr. MacDonnell they can't build the cable on the new bridge until the new cables are energized.

Dr. Pinto carried forward on Mr. Gifford's suggestion to let the city know about the items of concern. Dr. Pinto said the city should be copied on everything that goes out from our commission. He added we don't know how we can make any determination and should not be apologizing for it without adequate information from DOT. Mr. Kibbe said if anyone responded to our prior email. Dr. Pinto said the only one who replied was Ian Cole of Eversource. Mr Cole respectfully declined to provide information on their intended plans to relocate their 115 Kv high tension wires.

Dr. Pinto said we should compile the information from several former letters that requested additional information on these key issues, re-submit them, as we cannot take appropriate action without having detailed information going forward.

**** MR. GIFFORD MADE A MOTION TO PUT TOGETHER A DOCUMENT TO DEEP AND RELATED AGENCIES WITH ALL ATTACHMENTS TO DATE SAYING WE DO NOT HAVE SUFFICIENT DATA TO APPROVE THE PROJECT.**

**** MR. KIBBE SECONDED.**

**** THE MOTION WAS APPROVED UNANIMOUSLY.**

Mr. Romano proceeded with the Harbor Management Commission portion of the meeting.

4. Chairman's Report – Romano

Mr. Romano said a boat that was deeded to the city was up for auction. Mr. Bartush said it went for \$24,000 in auction. Mr. Kibbe asked about a boat beached on Tavern Island. Mr. MacDonnell said it is well up on the property.

5. Staff Reports:

a Harbor Master – Scully

b. Consultant – Steadman

Mr. Scully was not at the meeting. Mr. Steadman referenced a Corp of Engineers request to harbor masters in other towns seeking information on municipal harbor management boundaries and asked if Sgt. Scully has received a similar request. If so, the Commission should provide a description of the boundaries of the Norwalk Harbor Management Area.

6. Shellfish Commission – Johnson, Bartush

Mr. Bartush thanked the Commission and the Harbor Master for preventing Swaney from doing damage to the shellfish beds. Mr. Bartush asked if the Harbor Commission meetings could start later. Mr. Baker said he will work with the Clerk's Office and would be able to get a later meeting time. Mr. Romano said 6 pm. would work for the Commission and nobody had any issues. He said shell fishing is open, patronize your local restaurants and eat Norwalk shellfish.

7. Committee Reports:

a. Mooring and Harbor Safety – Santella

Mr. Santella said renewals for moorings are slowing down. He said there are 51 approved applications and 29 under review. Mr. Santella said an email will go out to the Mansfield, Royawton Yacht Club and the Norwalk Yacht Club for final payment. He read a Marine Safety Report from Sargent LePak and Officer Silva which said the unit is working weekends until the weather is cooler and there are no significant active cases to report.

b. Finance – Mobilia

Mr. Mobilia said the starting balance was \$21,682.05 and expenditures of \$2,745.12. The revenue from On-Line Mooring was \$5. The fund balance is \$18,942.53. He said he received a bill from Mr. Steadman for the first six months this year for \$7,140

**** MR. SANTELLA MADE A MOTION TO PAY MR. STEADMAN'S BILL OF \$7,140.**

**** DR. PINTO SECONDED.**

**** THE MOTION WAS APPROVED UNANIMOUSLY.**

c. Plans and Recommendations – Mangels

Mr. Mangels said we had a meeting with Wes Oliver of Total Marine and the meeting went well. He said we are also planning a meeting with the shellfish guys including Mr. Bloom. Mr. Steadman asked about any meeting scheduled with Devine Brothers. He said in Stamford barge deliveries pay a fee and the money goes to Harbor Management. Mr. Mangels said it is a good point and we have discussed barge traffic and have not had a meeting with Devine and that is something to consider.

d. Newsletter / Web site – Kibbe

Mr. Kibbe said general public does not know what the Commission does and he did reach out to Josh Morgan of the City, the Maritime Aquarium and the Seaport Association. He said the objective is to get more visibility in the community. Mr. Gifford said nobody is aware of our to-do list. Dr. Pinto said we have a public forum about the Harbor Commission for some time. He added we can put together a document of what we do. Mr. Steadman said for years we prepared an annual report and we should probably get back to doing that. On the first page of the city's website when you go to government there are names of departments and he said Harbor Management is not on that initial list. He said just adding the Commission would have a benefit.

e. Water Quality – Crespo / Schnierlein

Mr. Schnierlein he said there have been five cases of people sent to hospitals with vibrio infection and it is something that can be carried by shellfish. He said it could be in the Sound and said as far as we know it is not in Norwalk. Mr. Schnierlein said we went from a water conservatory plan to a state of water emergency.

f. Bridges – Mobilia

There was no report.

8. Public Comment

There was no public comment.

9. Approval of Minutes

**** MR. SANTELLA MADE A MOTION TO APPROVE THE MINUTES OF AUGUST 26, 2020.**

**** MR. KIBBE SECONDED.**

**** THE MOTION WAS APPROVED UNANIMOUSLY.**

10. Adjournment

**** MR. GIFFORD MADE A MOTION TO ADJOURN.**

**** THE MOTION WAS APPROVED UNANIMOUSLY.**

The meeting was adjourned at 6:28 p.m.

Respectfully submitted,

G. Venuto

Telesco Secretarial Services