

**CITY OF NORWALK  
HARBOR MANAGEMENT COMMISSION  
REGULAR MEETING  
MAY 26, 2021**

**ATTENDANCE:** John Romano, Chairman; John Crespo; John Pinto; Dennis Santella; Alan Kibbe; Chris MacDonald; Laurie Jones; Jeffrey Mangels; Matt Gifford;

**OTHER:** Michelle Andrzejewski; Robert Sonnichsen; James Bajek; John Hilts; Geoffrey Steadman; Mitch Pillay

**1. CALL TO ORDER/PLEDGE**

Chairman Romano called the meeting to order at 6:03 P.M. There was a quorum present. The Pledge of Allegiance was recited.

**2. ROLL CALL**

Chairman Romano performed the roll call of those present.

**3. APPLICATION REVIEW COMMITTEE – DR. PINTO**

**A.**

**68 WATER STREET, SOUTH NORWALK, CT. APPLICATION. FCNW, LLC (APPLICANT, SALVATORE DINARDO, CONTACT PERSON) PROPOSES TO REPLACE A PREVIOUSLY EXISTING, DETERIORATED WATERFRONT BULKHEAD STRUCTURE WITH A 180 LINEAR FEET OF WOODEN PILE AND TIMBER BULKHEAD RUNNING PARALLEL ALONG RIVER SHORELINE. THE NORTHERN 85-FOOT SECTION OF BULKHEAD WILL BE CONSTRUCTED IMMEDIATELY WATER WARD OF THE REMNANTS THE DETERIORATED WOODEN PILE AND TIMBER BULKHEAD. AT ~MIDPOINT OF THE PROPERTY'S SHORELINE, THE BULKHEAD LINE WILL BE STEPPED BACK LANDWARD 10 FEET. THE REMAINING 85-FOOT-LONG SECTION OF BULKHEAD WILL CONTINUE TO THE SOUTHERN PROPERTY BOUNDARY RUNNING PARALLEL TO THE NORTHERN SECTION OF THE BULKHEAD. APPROXIMATELY 1,020 CF OF FILL WILL BE PLACED LANDWARD OF THE NORTHERN BULKHEAD SECTION BELOW THE HIGH TIDE LINE. A 10-FT WIDE WOODEN DECK WILL BE CONSTRUCTED ALONG THE WATER WARD SIDE OF THE SOUTHERN 85-FT LONG SECTION OF BULKHEAD. THE DECK ELEVATION WILL BE 9 FT NATIONAL GEODETIC VERTICAL DATUM (NGVD), A HEIGHT EQUIVALENT WITH THE TOP OF THE BULKHEAD. THE WATER WARD SIDE OF THE DECK WILL BE SUPPORTED BY A SERIES OF WOODEN PILES DRIVEN 10 FT ON CENTER. THE PROPOSED WORK ALSO INCLUDES THE INSTALLATION OF A 25' X 6' WIDE FLOATING DOCK (WITH DOCK-STOP MECHANISM) FOR RECREATIONAL VESSELS AND ADJOINED WITH A 22' X 3' ALUMINUM RAMP. THE DOCK WILL BE SECURED TO TIMBER PILES USING METAL CHAINS TO ALLOW THE DOCK TO RISE AND FALL WITH TIDE CYCLE.**

Commissioner Pinto noted that the applicant desired to replace a previously-existing deteriorated waterfront bulkhead structure with a 180-foot linear wooden pier and timber bulkhead running parallel along the river shoreline. He reviewed the details of the proposed bulkhead for the Commission.

Mr. Robert Sonnichsen came forward to address the Commission. He has been involved with the project since the mid-90's. He noted that, since the 1890's, the property has been an industrial site. He reviewed the history of the site for the Commission. There was a renewal notice sent to the owner of the property in late 2019. Their office has record of a letter that was prepared and that Mr. Sonnichsen believed had been sent to the department but was lacking receipts or acknowledgement. The only option was to reapply for new structures and dredging permit. This application is identical to the previous permit. He proceeded to review the bulkhead for the Commission. Mr. Steadman reviewed the history of the application for the Commission. He pointed out that there are currently three different projects that are affecting the property.

Commissioner Pinto asked if there was any information regarding Eversource's plans to dig a horizontal transmission line under the property. Mr. Sonnichsen said he had heard of it but knew nothing about it. He mentioned that the D.O.T. had condemned a nearby property but were interested in this property for staging. He said that the D. O. T. had already submitted a permit to build a new bulkhead and dredge the river and to do a project on that waterfront. Mr. Sonnichsen said that the owner had no idea that the D.O.T. had applied for a permit on their property. The last they had been told was that the D.O.T. was getting close to an alternative location. This site has also been suggested as the re-location for two vessels, Maritime Aquarium and Seaport Association Vessels. The application and site plan were presented for the Commission to see and review. Further discussion followed on the details of the site layout for the application. The revised application is expected to be reviewed by both the Harbor Commission and the Shellfish Commission. The revised application was expected either this week or the prior week. However, the revision reflects the presented site layout. It was noted that, had the 2012 permit not lapsed, they would have renewed their permit and continue to maintain their rights and ability to be able to improve their waterfront. Mr. Sonnichsen had been instructed to obtain a structured dredging and fill permit for their waterfront so that they had the ability to do the improvements presented. Further discussion followed. There were concerns raised about potentially-conflicting applications.

**\*\* COMMISSIONER KIBBE MOTIONED TO ALLOW THE APPLICATION PROCESS TO MOVE FORWARD WITH THE VARIOUS CAVEATS DISCUSSED.**

**\*\* COMMISSIONER SANTELLA SECONDED THE MOTION.**

Discussion followed as concerns were raised about potentially conflicting applications by the Commission. He desires to improve his property as it has been deteriorating.

**\*\* THE MOTION PASSED WITH EIGHT IN FAVOR (ROMANO; PINTO; SANTELLA; KIBBE; JONES; MANGELS; GIFFORD; CRESPO) AND ONE OPPOSED (MACDONNELL).**

Mr. Sonnichsen said that the property owner has been hamstrung by this process for a long time and desires to reach a resolution going forward.

**B.**

**5 DECKER STREET, NORWALK, COP. THOMAS AND ALLISON ROBBINS (APPLICANTS) PROPOSE TO RECONFIGURE AND SHIFT THE LOCATION OF A CURRENTLY AUTHORIZED RECREATIONAL DOCK. THE DOCK WILL BE SHIFTED ~17 FT NORTHWARD TO ALIGN WITH AN EXISTING WALKWAY TO THE**

**SHORELINE. STRUCTURAL CHANGES TO THE DOCK WILL BE TO CHANGE THE MAIN FLOAT FROM AN 8'X 20' CONFIGURATION TO 6'X 22; WITH THE ADDITION OF A 4.5'X6' RAMP SUPPORT FLOAT. RAMP SIZE WILL BE SIMILAR TO THAT ORIGINALLY PERMITTED (3'X 36') AND THE LENGTH OF THE FIXED PIER WILL BE REDUCED FROM 78' TO 76'. THE NUMBER OF PILINGS IN THE TIDAL WETLANDS FOR THE PIER SUPPORT WILL BE REDUCED FROM 6 TO 4. RE-CONSTRUCTION WILL BE DONE USING SMALL WORK VESSELS, BARGE AND CRANE.**

Mr. Bajek came forward to discuss this item. They received a permit back in December of 2017 from D.E.E.P. The owners had originally planned on a dock that had an access different from that originally permitted. However, they decided to leave the waterfront in its current state with concrete steps going down to a concrete landing. He reviewed the history of the application for the Commission. They have had conversations with both the Army Corps and Connecticut D.E.E.P. and both reported that they did not have issues with the application and it would qualify under the C.O.P. application process. They have updated the National Diversity Database as part of this. The existing permit is still good until September of 2022.

Mr. Steadman suggested that, before approval, they show the extended property lines and the distance from the proposed structure to the property lines. Additionally, that D.E.E.P. and the applicant would consider any comments made by the Shellfish Commission. Commissioner Pinto said that they would need to work with the Harbor Master regarding the location for the work vessels. Commissioner Kibbe pointed out that it was a City-owned street end and they didn't want to interfere with the public access at the end of Decker Street. Further discussion followed regarding this point.

**\*\* COMMISSIONER MACDONNELL MOTIONED TO ALLOW THE APPLICATION TO PROCEED.**

**\*\* COMMISSIONER JONES SECONDED THE MOTION.**

**\*\* THE MOTION PASSED UNANIMOUSLY.**

**C.**

**14 SHOREHAVEN ROAD NORWALK CT. PRE-APPLICATION. SHOREHAVEN OXTAILS, LLC PROPOSES TO CONSTRUCT A 4' X 65' PILING-SUPPORTED TIMBER PIER WITH A 42" X 8' REMOVABLE ALUMINUM STEPS, BOAT ELEVATOR, PWC LIFT, 3'X30' ALUMINUM RAMP, AND 8'X20' PILING ANCHORED TIMBER FLOATING DOCK FOR PRIVATE RECREATIONAL VESSEL**

Mr. John Hilts came forward to discuss this application. He reviewed the pre-application for the Commission. He noted that they were installing four anchor pilings on the landward side of the floating dock with the intention of reducing permanent water and structural encroachment into the waterway.

Commissioner Pinto asked if the applicant was planning to install the power lift but potentially not use it.

Mr. Hilts said he might not even install it. If he does opt to build it, he can build it under this permit. The dock will be used for occasional access and the intention of the dock will be small watercraft. It was noted that there was little objection to moving the application forward but the Shellfish Commission may desire to add in additional comments. If an application has an impact on shellfish resources it would have an impact on the recommendation of the Harbor Commission.

- \*\* COMMISSIONER KIBBE MOTIONED TO MOVE THIS APPLICATION FORWARD IN PRE-APPLICATION SUBJECT TO THE COMMENTS AND FUTURE COMMENTS BY THE SHELLFISH COMMISSION.**
- \*\* COMMISSIONER MANGELS SECONDED THE MOTION.**
- \*\* THE MOTION PASSED UNANIMOUSLY.**

**D.**

**PROPOSED RECOMMENDATIONS TO AMENDMENT FOR HOUSING WORKFORCE DEVELOPMENT**

Commissioner Pinto had sent out a copy of the proposed recommendations to the members of the Harbor Commission. Chairman Romano said they had to be concerned about marine use. The members of Zoning Commission had submitted a request for recommendations for the text amendment. This deals primarily with the building of parking spaces and use of the property that would affect the water in Norwalk Harbor. He reviewed the proposed amendment for the Commission.

- \*\* COMMISSIONER KIBBE MOTIONED TO APPROVE THE PROPOSED RECOMMENDATIONS TO THE AMENDMENT.**
- \*\* COMMISSIONER SANTELLA SECONDED THE MOTION.**
- \*\* THE MOTION PASSED UNANIMOUSLY.**

**E.**

**STANDING ACTION ITEMS: OPEN DISCUSSION OF FUTURE WALK BRIDGE PROPOSALS REGARDING PLACEMENT OF TRANSMISSION CABLES BY EVERSOURCE AND DOT, DOT'S PLANS FOR STATIONING WORK BARGES IN NORWALK HARBOR; DOT'S PLANS TO MONITOR WATER QUALITY, AND BULKHEAD CONSTRUCTION AT PROPOSED SOUTH WATER STREET STAGING PROPERTIES.**

**4. CHAIRMAN'S REPORT – ROMANO**

Chairman Romano reported there wasn't much happening beyond the sending and receiving of e-mails. He is still waiting on Eversource, D.O.T., and other issues to come before him.

**5. STAFF REPORTS:**

**A. HARBOR MASTER – SCULLY**

Harbor Master Scully was not present at this time.

**B. CONSULTANT – STEADMAN**

Mr. Steadman reported that the Connecticut Harbor Management Association was in the process of scheduling a meeting with representatives of harbor management Commissions regarding the superior court decision. Several other Commissions have approved motions similar to what the Norwalk Commission approved.

**6. SHELLFISH COMMISSION – JOHNSON AND BARTUSH**

Mr. Steven Bartush came forward to deliver his report. Two to three years ago the Shellfish Commission submitted to the Bureau of Aquaculture a list of areas for shellfish restoration. The state is going to survey the areas given and make their own list. They will be making a visit to Veteran's Park next Monday to review the area for shellfish restoration.

## **7. COMMITTEE REPORTS**

### **A. MOORING AND HARBOR SAFETY – SANTELLA**

Commissioner Santella reported that the renewal applications were continuing. There were 46 approved applications and 55 renewals under review. They received the managed fields first payment and will contact each managed field requesting the balanced and mooring field inventory for this season. They will contact the tackle inspectors to review and discuss any issues and concerns. The Committee is not aware of any issues regarding harbor safety.

### **B. FINANCE – KIBBE**

Commissioner Kibbe reported that the Commission continues to receive mooring fees. They are up to \$8,200 of mooring fees paid. There is \$10,500 on-hand with the City at this point.

### **C. PLANS AND RECOMMENDATIONS – MANGELS**

There was nothing to report at this time.

### **D. NEWSLETTER/WEBSITE – KIBBE**

There was nothing to report at this time.

### **E. WATER QUALITY – CRESPO AND SCHNIERLEIN**

There had been a discussion regarding Ms. Lynnelle Jones' letter. There has been an investigation into the jurisdiction regarding the stormwater discharge pipe. There was a suggestion that the Committee create an educational program for the area residents. There's been an increase in the number of Chinese mitten crabs in the area. He reviewed what mitten crabs were for the Commission. He reported that people may have put in storm drains that the Commission was unaware of. The last documentation of storm drains happened back in the early 90's. He expressed a desire to have the interns perform another documentation of storm drains.

### **F. BRIDGES**

There was nothing to report at this time.

## **8. PUBLIC COMMENT**

Mr. Mitch Pillay came forward. He is the president of the Wilson Point Property Owners Association. He has come before the Commission regarding the allegations, innuendo, and suppositions made by one of

their residents, Lynnelle Jones. The Association has a long-standing tradition of cleaning up the five-acre estuary along Route 136. He noted that she did not attend that year's clean-up and has only rarely attended in the past. He pointed out that they do not fall under the same requirements as a municipality for storm-water management. They had announced back in 2016 that they would be installing drainage to connect to an existing drain to remedy a dangerous situation. They had also informed the community that they would contact the City first; which they did. They had been informed by Marissa Diez of Norwalk Public Works that a permit was not required. He pointed out that Ms. Jones claims that there is no record but she has been e-mailed by Ms. Diez confirming this conversation. Ms. Jones has been contacting government agencies regarding the storm drain for the past four years. Those agencies have confirmed that no permits were required. These are the Department of Public Works, Norwalk Planning & Zoning, the Mayors Water Quality Committee, the Health Department, and The Connecticut Department of Energy and Environmental Protection.

They take the mischaracterizations of their association and personal attacks by Ms. Jones very seriously. He pointed out that, in her correspondence, she alleges that boaters are dumping sewage two miles off the coastline with no proof. He further recounted issues he has had with Ms. Jones and pointed out that the feud started when he refused to take her side in a dispute with a neighbor. They have needed to install armed, off-duty, service officers at meetings for safety concerns. He listed inaccuracies in her prior encounter with the Shellfish Commission including her association with Wilson Point Beach Inc., of which she is not a member. Wilson Point Property Owners Association has not undertaken any serious construction of the drainage system along Nathan Hale Drive. There is no such thing as the Wilson Point Beach Club. Nathan Hale drainage estimated locations contains multiple errors and the scope of work is greatly exaggerated. The work regarding the Jones Project is greatly misleading. He listed further inaccuracies and issues in her presentation. They are still waiting for the Wilson Point Property Owners Association records request to the Shellfish Commission be fulfilled. Wilson Point welcomes a city-wide or regional approach to storm water management. This project was started and cleared four and a half years ago.

Chairman Romano remarked that there had been several conference calls with Ms. Jones and the people on the board. They had taken Ms. Jones presentation at face value. They did not take what she said to malign any one of the people in the Wilson Point group. He noted that, with the internships that they had supported financially, and, over the years, they have found over 80 issues with the outlets.

Mr. Pillay noted that everything that was done was done appropriately and did not require permits. He pointed out she had used inaccurate photos that were outdated for her claims. He noted that the vote taken by the Shellfish Commission to do water testing together with the Harbor Management Commission and the Mayors Water Quality Committee was managed mainly by them and based solely on her claims.

Commissioner Pinto noted that the NHMC Commission was not interested in the permit issue , only the quality of the water. He recounted past instances where there had been issues with water quality within Norwalk Harbor.

Mr. Pillay noted that this was being done by an individual who was attacking the association for personal reasons and her claims were nonsense. Further discussion followed regarding the proposed testing. Mr.

Pillay stated he had an issue with random sampling being performed because of one person who has a bone to pick with the Association.

**9. APPROVAL OF MINUTES: APRIL 28TH, 2021**

- \*\* COMMISSIONER PINTO MOTIONED TO APPROVE THE MINUTES OF APRIL 28, 2021 AS AMENDED.**
- \*\* COMMISSIONER SANTELLA SECONDED THE MOTION.**
- \*\* THE MOTION PASSED UNANIMOUSLY.**

**10. ADJOURNMENT**

- \*\* COMMISSIONER KIBBE MOTIONED TO ADJOURN.**
- \*\* COMMISSIONER SANTELLA SECONDED THE MOTION.**
- \*\* THE MOTION PASSED UNANIMOUSLY.**

*The meeting adjourned at 8:06 P.M.*

Respectfully Submitted  
Ian A. Soltes  
Telesco Secretarial Services.