

**CITY OF NORWALK  
SHELLFISH COMMISSION  
REGULAR MEETING  
AUGUST 5, 2021**

The meeting was held via Zoom teleconference

**ATTENDANCE:** Pete Johnson, Chair; Steve Bartush, Nick Sacchinelli

**OTHERS:** William Mooney, Health Department; Joseph Schnierlien, Water Quality Chair; John Romano, Harbor Management Commission Chair; Tyeisha Cole, Jim Bajek, Atty. John Casey, Robinson and Cole; Dr. John Pinto, Harbor Management Commission; Geoffrey Steadman, Harbor Commission Consultant; Dr. Peter Pellegrino

**CALL TO ORDER**

Mr. Johnson called the meeting at 7:16 p.m. A quorum was present.

**PUBLIC COMMENT**

Mr. Bartush requested that Ms. Cole give her presentation under New Business.

**APPROVAL OF MINUTES**

**\*\* MR. BARTUSH MOVED THE MINUTES OF THE JULY 1, 2021 SHELLFISH COMMISSION MEETING.**

**\*\* MR.SACCHINELLI SECONDED**

**\*\* THE MOTION TO APPROVE THE MINUTES OF THE JULY 1, 2021 SHELLFISH COMMISSION MEETING AS SUBMITTED PASSED UNANIMOUSLY.**

**Treasurer's Report** – No report.

**Secretary's Report** – No report.

**COMMITTEE REPORTs**

**A) Health Department** – Mr. Mooney stated that there was 11.9 inches for July. The average for the year is 3.9, and there were three closures on July 1st, 2nd, 8th and the 29th all due to rainfall and two bypasses on July 1st and 9th.

**B) Wastewater Treatment Plant** – No report.

**C) Water Quality** – Mr. Schnierlein said that they had been working on some recommendations regarding water quality that would be sent to the Harbor Commission, the Shellfish Commission as well as the City agencies in order to see positive development in the City.

**D) Permits** – No report

**E) Police** – No report.

**F) Advisory** – Mr. Johnson said that the water was about 74 degrees now.

**G) Harbor Management** – Mr. Romano said that they would chime in as needed .

**\*\* MR. BARTUSH MOVED TO ACCEPT THE COMMITTEE REPORTS AS PRESENTED.**

**\*\* MR. SACCHINELLI SECONDED**

**\*\* THE MOTION TO APPROVE THE COMMITTEE REPORTS AS PRESENTED PASSED UNANIMOUSLY.**

#### **OLD BUSINESS**

Mr. Johnson said that the Shellfish boat was in for repairs and he reminded the Harbor Commission that they would be splitting the bill. The Police have been using the boat. Mr. Romano said that he had heard the Police would be getting a new boat. Discussion followed about what would be done with the two older police vessels.

Mr. Steadman said that he attended a bill signing ceremony in Stratford and there were a number of State legislators there. He said that a number of speakers mentioned the importance of the shellfish industry in Connecticut. All of the legislators were supporting the shellfish resources in Connecticut. The bill was described as a bi-partisan bill.

Mr. Johnson said that Aquaculture had stated that about 90% of all shellfish come out of Norwalk.

• **Walk Bridge** – DOT – No report

• **Eversource** – No report

• **Fees** – No report

## **5 Decker Street pier/ramp/dock COP**

**26 Shorefront Park** – Dr. Pellegrino, Atty. Casey of Robinson & Cole and Mr. Bajek were present to speak to the Commission. Atty. Casey said that he had emailed a letter out but unsure whether the Commissioner had an opportunity to read the letter. Mr. Bartush said that he had received the letter and requested that Atty. Casey give an overview of the contents.

Atty. Casey said that he had requested a copy of the 1882 shellfish map showing the natural shellfish beds. He said that Mr. Mooney had sent him a map from 1980 that showed some tracts but they wished to confirm the tracts jurisdiction.

Atty. Casey said that 1/3 of the area that was being considered for dredging had already been dredged by the South Norwalk Boat Club. Dr. Pellegrino's report indicated that the area that had been dredged had returned to the pre-dredging habitat without significant impact. He also spoke about the fact that the DEEP concluded that the South Norwalk Boat Club dredging would not have a significant impact. He said that it would be up to the DEEP to make the determination as to whether it was maintenance dredging or not, would have a significant impact.

Mr. Johnson pointed out that a COP and dredging were two totally different things.

Atty. Casey said that he would like to have Dr. Pellegrino to state his opinion for the record

Dr. Pellegrino said that the difference between new dredging or maintenance dredging would not matter if there was recolonization of the area. He pointed out that the fact that the area had recolonized itself since 2013. Recolonization occurs all over the world and while it does not occur as rapidly in some places as others, it does happen.

Mr. Johnson replied that each area was different.

Mr. Bartush said that Atty. Casey had mentioned this was going to DEEP regardless of what the Shellfish Commission decides.

Atty. Casey said that he was just asking that this project be given the same consideration as other projects like Wilson Cove, which was determined to have no significant impact and was considered to be new dredging. Both the Commission and Mr. Carey determined that it would not have a significant impact. It about the same amount of shellfish resources.

Atty. Casey said that he had been able to create a basic rough sketch of Tract 2, which he believed included 67 million square feet, which is basically the entire shoreline of Norwalk. The

proposed dredge would involve 5,800 square feet, which represents .008 percent of the natural shellfish bed.

Mr. Bajek said that he agreed with Dr. Pellegrino's assessment that the dredging would not have any significant impact on the shellfish.

Mr. Romano said that the item was a tabled by the Harbor Commission waiting to hear the results of the Shellfish Commission.

Mr. Steadman said that the provision of the HMP was to preserve the shellfish resources, along with the DEEP and Aquaculture. He said that the Commission is not bound by whatever the neighbors may or may not do. The Bureau of Aquaculture is the final authority in terms of shellfish resources. He added that he believed that the original maps were on file at the State Library and noted that they were very large maps.

Mr. Schnierlein said that once the dredging was done, the dredge would only be good for about five years and then they would have to re-dredge to accommodate a large vessel. The South Norwalk Boat Club, a water dependent, has been dredging for a very long time. The dredging could be leveled out by one storm, which is another factor that has to be considered. They are right at the end of a mud flat and at low tide, the only thing that was exposed was the river itself.

Mr. Bartush thanked the applicants for the professional application. Mr. Bartush said that he looked forward to working with them in the future on this and other projects.

**\*\* MR. BARTUSH MOVED THE FOLLOWING:**

**“THE NORWALK SHELLFISH COMMISSION STRONGLY OPPOSES ANY POTENTIAL DREDGING AS APPLIED FOR AT THE 26 SHOREFRONT PARK SITE DUE TO THE SERIOUS DAMAGE IT WOULD CAUSE THE COASTAL RESOURCES IN THIS NATURAL SHELLFISH BED IN THE PUBLIC TRUST AND UNDER THE NSC’S JURISDICTION. AS THE COMMISSION RESPONSIBLE FOR STEWARDING GREATER THAN 50 PERCENT OF THE SHELLFISH HARVEST IN THE STATE OF CONNECTICUT, SUCH A PRIVATE AND [INAUDIBLE] DREDGING PROJECT WOULD BE ENTIRELY UNACCEPTABLE IN OUR AREA AND SET A DANGEROUS PRECEDENT HERE AND STATEWIDE. IN DOCK APPLICATIONS, THE SHELLFISH COMMISSION ROUTINELY ASKS FOR DOCK STOPS TO BE ADDED TO PRIVATE FLOATING DOCKS TO AVOID DAMAGE TO THE BENTHIC ENVIRONMENT. THE APPLICATION ASKS FOR THE ENTIRE LOCAL BENTHIC AREA TO BE REMOVED AGAINST ALL REASONABLE RESIDENTIAL DOCK BEST PRACTICES. THIS FRACTION OF OUR VIRGIN**

**NATURAL BED IS VALUABLE BOTH BIOGEOCHEMICALLY AND HYDROLOGICALLY. THE SHELLFISH COMMISSION FULLY AGREES WITH DAVID CAREY, HEAD OF THE CONNECTICUT BUREAU OF AQUACULTURE WHO STATED “THE BUREAU OF AQUACULTURE MAINTAINS THE PROPOSAL WILL HAVE A SIGNIFICANT IMPACT ON SHELLFISH RESOURCES AND SHELLFISH HABITAT. WHILE A DISTURBED AREA MAY RECOLONIZE, WHICH IS DISPUTABLE, THE AREA IS NOT FUNCTIONALLY THE SAME AND UNABLE TO SERVE THE SAME PURPOSE AS IT WAS DESIGNATED FOR HISTORICALLY.” IN THE SHELLFISH COMMISSION’S FORMAL ROLE OF ADVISING THE NORWALK HARBOR MANAGEMENT COMMISSION OF MATTERS RELATED TO SHELLFISH MANAGEMENT AS ELUCIDATED IN THE NORWALK HARBOR MANAGEMENT PLAN, WE STRONGLY URGE THE NORWALK HARBOR MANAGEMENT COMMISSION TO FIND THIS APPLICATION INCONSISTENT WITH THE PLAN AND COMMUNICATION SAME TO DEEP. AND LASTLY, IN SERVICE TO OUR SHELL-FISHING COMPANY STAKEHOLDER, THE SHELLFISH COMMISSION HAS OBTAINED FOUR LETTERS FROM THE SHELLFISH INDUSTRY FROM CAPTAIN PRAMER, CAPTAIN BLOOM, FROM CAPTAIN STABEL AND FROM CAPTAIN HOP AND WITHOUT OBJECTION, I WOULD LIKE TO INCLUDE THOSE AS PART OF OUR CONSULTATION FORM TO DEEP.**

**\*\* MR. SACCHINELLI SECONDED**

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

### **NEW BUSINESS**

Mr. Bartush introduced everyone to Ms. Cole who has pioneered an oyster shell recycling program. She is partnered with UConn CT COVID 19 Sea Grant. She is looking to start an oyster shell recycling program in Norwalk. Ms. Cole then narrated a PowerPoint presentation to the Commissioners.

Mr. Bartush thanked Ms. Cole for the presentation and congratulated her on her graduation.

Mr. Bartush asked if the restaurants had to clean or prepare the shells. Ms. Cole said that they just require the restaurants to put them in the buckets. They are then cured for six months in the sun and regular weather.

Mr. Bartush asked about multiple species, such as clams, mussels or scallops. Ms. Cole said that all shells typically will work, but she had focused on oyster shells. She added that this could save the City thousands of dollars in tipping fees.

Mr. Steadman asked about the end use of the shells. Connecticut is promoting living shorelines to deter erosions. Ms. Cole said that she had cited the Stratford Study in her graduate project. It is a definitely a possibility, but she was working on this pilot program. The Bloom family is the largest oyster farming group in the State.

Mr. Schnierlein asked if the shells were inspected for disease because not all the restaurant buy from local providers. Ms. Cole explained that this was why they were curing them for a minimum of 6 months.

Mr. Schnierlein said that there were species like flounder that required that need a gravel and shell base. Once they stopped using the shell, the flounder moved across the Sound. The reason they stopped the shell piles was because the neighbors complained about the smell. Ms. Cole said that the oyster numbers had decreased because of the constant consumption. She spoke about the project in New York. Discussion followed about the odor.

Dr. Pinto commended Ms. Cole on her presentation. He asked what would happen with tissue inside the shell. Ms. Cole said that the tissue becomes dried out and then the run off onto the asphalt. Dr. Pinto asked if the field mouse and rats would be drawn to the site. Ms. Cole said that she would be check the shells and the restaurant workers are trained. The projects in New York City, Louisiana and other places have not had an issue about this. She said that Senate Bill 840 would be providing training and funding for this.

• **Next Meeting –September 2, 2021 @ 7:15pm (Zoom)**

### **ADJOURNMENT**

**\*\* MR. BARTUSH MOVED TO ADJOURN.**  
**\*\* MR. SACCHINELLI SECONDED**  
**\*\* THE MOTION PASSED UNANIMOUSLY.**

The meeting adjourned at 8:34 p.m.

Respectfully submitted,

S. L. Soltes  
Telesco Secretarial Services