

**CITY OF NORWALK
SHELLFISH COMMISSION
REGULAR MEETING
FEBRUARY 3, 2022**

The meeting was held via Zoom teleconference

ATTENDANCE: Pete Johnson, Chair; Steve Bartush, Nicholas Sacchinelli

OTHERS: William Mooney, Health Department; John Romano, Harbor Commission Chair; Geoff Steadman, Harbor Commission Consultant; Lynnelle Jones, Diane Lauricella, Sam Marquand, Joe Schnierlein, Water Quality Chair

CALL TO ORDER

Mr. Johnson called the meeting to order at 7:17 p.m. A quorum was present.

PUBLIC COMMENT

Ms. Lynnelle Jones said that she had resubmitted a new presentation after reviewing the videos and minutes from last year. That new presentation was dated January 6th and Mr. Mooney had been given a copy for the file. It should have included inland wet lands in the maps, which was reason alone to require a permit. Last fall, she shared an email exchange from 2008 after reading what Mr. Mitch Palias wrote about Ms. Jones. Commodore Ramsey and the attorneys are wrong because it has been much longer than four years that she has been questioning the pollution.

She asked if the Norwalk Yacht Club had shared a copy of their specifications on the drainage and if she could get a copy. Mr. Bartush said that he had some questions about the specifications which he would address later in the meeting.

APPROVAL OF MINUTES

**** MR. SACCHINELLI MOVED THE MINTUES OF THE PREVIOUS MEETING.**

**** MR. BARTUSH SECONDED.**

**** THE MOTION TO APPROVE THE MINUTES OF THE PREVIOUS MEETING PASSED UNANIMOUSLY.**

Treasurer's Report – No report at this time.

Secretary's Report – No report at this time.

COMMITTEE REPORTS

A) Health Department. – Mr. Mooney said that there was 2.88 inches of rain recorded last year and 1.77 inches this year. There were two beach closures and no bypass events.

B) Wastewater Treatment Plant – No report at this time.

C) Water Quality – Mr. Schnierlein said that the majority of the conversation was focused on Wilson Cove and there was nothing that indicated Wilson Cover Homeowner's Association, There are issues with the north end. Eversource has agreed not to spray while doing the tree removal. Norwalk uses green salt, which reduces the amount of salt used. Mr. Steadman

D) Permits – No report at this time.

E) Police – No report at this time.

F) Advisory – No report at this time.

G) Harbor Management –

Mr. Steadman said that the public hearing would be on February 23rd. The hearing is being held because there were two petitions submitted Manresa Neighborhood Coalition, was one of the petitioners. The Shellfish and Harbor Commission were represented by Dr. John Pinto. Mr. Steadman reviewed the Status Conference that addressed the Commission's concerns about how the conditions were inadequate for protecting the public's interest during the construction. He said that it would be good to work together to present suggestions to strengthen those conditions.

**** MR. BARTUSH MOVED TO APPROVE THE COMMITTEE REPORTS AS PRESENTED.**

**** MR. SACCHINELLI SECONDED.**

**** THE MOTION PASSED UNANIMOUSLY.**

OLD BUSINESS

Walk Bridge – DOT

Mr. Bartush said that the Shellfish and Water Quality had both approved the following motion which Mr. Steadman read into the record:

“The Harbor Management Commission has reviewed the proposed conditions included in the draft permit noticed by the DEEP for the Walk Bridge Project and finds that those proposed conditions are insufficient for protecting the public interest in Norwalk Harbor and achieving project consistency with the Norwalk Harbor Management Plan. Specifically, the Commission is concerned that the proposed conditions do not significantly, do not adequately address the Commission’s previously expressed concerns with regard to:

1. Protecting Water Quality
2. Maintaining public navigation safety
3. Planning for bulkheading along the propose Water Street marine staging area
4. Ensuring future water dependent uses and those would be in respect to the properties that the D.O.T. would use for the bridge project that would be available for redevelopment after the project
5. Establishing and maintaining coordination with the Harbor Master and local emergency services
6. Managing barge mooring locations
7. protecting the quality of life in shore front residential areas adjoining Manresa Island.

Accordingly, the Commission resolves to submit during the DEEP public hearing process detailed recommendations for strengthening the proposed conditions for the purpose of protecting the public interest and achieving project consistency with the Harbor Management Plan.”

Mr. Steadman said that the Harbor Commission was requesting that the Shellfish Commission express support of the motion.

**** MR. BARTUSH MOVED TO ADOPT THE FOLLOWING MOTION:**

“THE HARBOR MANAGEMENT COMMISSION HAS REVIEWED THE PROPOSED CONDITIONS INCLUDED IN THE DRAFT PERMIT NOTICED BY THE DEEP FOR THE WALK BRIDGE PROJECT AND FINDS THAT THOSE PROPOSED CONDITIONS ARE INSUFFICIENT FOR PROTECTING THE PUBLIC INTEREST IN NORWALK HARBOR AND ACHIEVING PROJECT CONSISTENCY WITH THE NORWALK HARBOR MANAGEMENT PLAN. SPECIFICALLY, THE COMMISSION IS CONCERNED THAT THE PROPOSED CONDITIONS DO NOT SIGNIFICANTLY, DO NOT ADEQUATELY ADDRESS THE COMMISSION’S PREVIOUSLY EXPRESSED CONCERNS WITH REGARD TO:

- 1. PROTECTING WATER QUALITY**
- 2. MAINTAINING PUBLIC NAVIGATION SAFETY**
- 3. PLANNING FOR BULKHEADING ALONG THE PROPOSE WATER STREET MARINE STAGING AREA**
- 4. ENSURING FUTURE WATER DEPENDENT USES AND THOSE WOULD BE IN RESPECT TO THE PROPERTIES THAT THE D.O.T. WOULD USE FOR THE BRIDGE PROJECT THAT WOULD BE AVAILABLE FOR REDEVELOPMENT AFTER THE PROJECT**
- 5. ESTABLISHING AND MAINTAINING COORDINATION WITH THE HARBOR MASTER AND LOCAL EMERGENCY SERVICES**
- 6. MANAGING BARGE MOORING LOCATIONS**
- 7. PROTECTING THE QUALITY OF LIFE IN SHORE FRONT RESIDENTIAL AREAS ADJOINING MANRESA ISLAND.**

ACCORDINGLY, THE COMMISSION RESOLVES TO SUBMIT DURING THE DEEP PUBLIC HEARING PROCESS DETAILED RECOMMENDATIONS FOR STRENGTHENING THE PROPOSED CONDITIONS FOR THE PURPOSE OF PROTECTING THE PUBLIC INTEREST AND ACHIEVING PROJECT CONSISTENCY WITH THE HARBOR MANAGEMENT PLAN.”

WITH THE FOLLOWING AMENDMENTS:

“THE HARBOR MANAGEMENT COMMISSION, THE MAYOR’S WATER QUALITY COMMITTEE AND THE NORWALK SHELLFISH COMMISSION HAVE REVIEWED THE PROPOSED CONDITIONS INCLUDED IN THE DRAFT PERMIT NOTICED BY THE DEEP FOR THE WALK BRIDGE PROJECT AND FINDS THAT THOSE PROPOSED CONDITIONS ARE INSUFFICIENT FOR PROTECTING THE PUBLIC INTEREST IN NORWALK HARBOR AND ACHIEVING PROJECT CONSISTENCY WITH THE NORWALK HARBOR MANAGEMENT PLAN. SPECIFICALLY, THE COMMISSIONS AND COMMITTEE ARE CONCERNED THAT THE PROPOSED CONDITIONS DO NOT SIGNIFICANTLY, DO NOT ADEQUATELY ADDRESS THE COMMISSIONS AND COMMITTEE’S PREVIOUSLY EXPRESSED CONCERNS WITH REGARD TO:

- 1. PROTECTING WATER QUALITY**
- 2. MAINTAINING PUBLIC NAVIGATION SAFETY**
- 3. PLANNING FOR BULKHEADING ALONG THE PROPOSE WATER**

STREET MARINE STAGING AREA

- 4. ENSURING FUTURE WATER DEPENDENT USES AND THOSE WOULD BE IN RESPECT TO THE PROPERTIES THAT THE D.O.T. WOULD USE FOR THE BRIDGE PROJECT THAT WOULD BE AVAILABLE FOR REDEVELOPMENT AFTER THE PROJECT**
- 5. ESTABLISHING AND MAINTAINING COORDINATION WITH THE HARBOR MASTER AND LOCAL EMERGENCY SERVICES**
- 6. MANAGING BARGE MOORING LOCATIONS**
- 7. PROTECTING THE QUALITY OF LIFE IN SHORE FRONT RESIDENTIAL AREAS ADJOINING MANRESA ISLAND.**

ACCORDINGLY, THE COMMISSIONS AND COMMITTEE RESOLVE TO SUBMIT DURING THE DEEP PUBLIC HEARING PROCESS DETAILED RECOMMENDATIONS FOR STRENGTHENING THE PROPOSED CONDITIONS FOR THE PURPOSE OF PROTECTING THE PUBLIC INTEREST AND ACHIEVING PROJECT CONSISTENCY WITH THE HARBOR MANAGEMENT PLAN.”

**** MR. SACCHINELLI SECONDED.**

**** THE MOTION TO ADOPT THE STATEMENT AS AMENDED PASSED UNANIMOUSLY.**

Mr. Romano reported that the Harbor Commission had met with Corporation Counsel and the Corporation Counsel suggested that the Commission make this resolution.

Mr. Bartush said as a follow up on Ms. Jones’ public comments, that there were there were some specs submitted for the filtration device from the Norwalk Yacht Club and would like the Commission’s permission to forward the information to DEEP for their review and comments.

**** MR. BARTUSH MOVED TO FORWARD THE SPECS SUBMITTED FOR THE FILTRATION DEVICE FROM THE NORWALK YACHT CLUB AND WOULD LIKE THE COMMISSION’S PERMISSION TO FORWARD THE INFORMATION TO DEEP FOR THEIR REVIEW AND COMMENTS.**

** The motion passed unanimously.

Eversource – No discussion at this time.

80-84 Seaview Ave. – No discussion at this time.

Norwalk Yacht Club mooring consultation for NHMC – No discussion at this time.

Sprite Island Yacht Club mooring consultation for NHMC – No discussion at this time.

9 Rowayton Ave. (Boat Dock) Mr. Bartush said that they need to set up a site inspection and the Five Mile River has asked to participate.

NEW BUSINESS

Mr. Johnson asked for an update on the Harbor Master. Mr. Romano said that Officer Lovallo was doing a fantastic job. Mr. Johnson said that he had heard the same. For the time being, Officer Lovallo will be an Acting Harbor Master. There were a number of applications for Assistant Harbor Master, but many of the applicants had conflicts of interest.

Mr. Romano said that Officer Lovallo had been posting every day and also had been checking to see if the docks had been pulled for the winter. Mr. Steadman then reviewed several of the tasks that would be the responsibility of the Harbor Master when the Walk Bridge construction starts.

Mr. Steadman said that the Public Comment period for the Walk Bridge would end on February 28th. This is before the Shellfish Commission's next scheduled meeting. He suggested that the Shellfish Commission and the Harbor Commission request a two week extension in order to discuss the comments and the responses.

A short discussion followed about filling the recent vacancy created by Mr. Mattera's recent resignation.

Next Meeting –March 3, 2022 @ 7:15pm (Zoom)

ADJOURNMENT

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

The meeting adjourned at 7:48 p.m.

Respectfully submitted,

City of Norwalk
Shellfish Commission
Regular Meeting
February 3, 2022.

S. L. Soltes
Telesco Secretarial Services.

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