

**CITY OF NORWALK  
HARBOR COMMISSION  
REGULAR MEETING  
JUNE 23, 2010**

**ATTENDANCE:** Tony D’Andrea, Chair; Henry Palau, Secretary; Dr. John Pinto, Jack Callahan, Tony Mobilia, Jan Schaefer, John Romano, Pat Clark

**STAFF:** Michael Griffin, Harbor Master; Geoff Steadman, Consultant

**OTHERS:** John Frank, Pete Johnson, Shellfish Commission Chair; Fred Edelman, Sgt. Peter Lapak, Norwalk Marine Police; Officer Torrano, Norwalk Marine Police

**CALL TO ORDER/PLEDGE OF ALLEGIANCE**

Mr. D’Andrea called the meeting to order at 7:32 p.m. He requested that Ms. Schaefer led those present in reciting the Pledge of Allegiance, which she did.

**ROLL CALL**

Mr. D’Andrea called the roll. A quorum was present. He announced that Mr. Cebrian had an excused absence.

Mr. D’Andrea announced that Ms. Jan Schaefer was the new Harbor Commissioner and had been sworn in earlier in the day. He then requested that the other Commissioners introduce themselves to Ms. Schaefer.

**CHAIRMAN’S REPORT.**

Mr. D’Andrea said that there had been two pieces of correspondence that had crossed his desk recently. He then read a letter from Mr. Peter Edelman dated June 17, 2010. He then said that he believed that everyone that was present had seen people speeding through the channel. He added that everyone had also seen people on a cell phone while driving. Mr. D’Andrea said, as a boating safety instructor, he had spoken with his boating safety supervisor about this issue. The answer is education. Recently, more buoys have been installed and this will also help. He then suggested that if anyone saw a boater speeding in the NO WAKE signs, to jot down the registration number and pass it along to those who are in a position to enforce the law.

Mr. D'Andrea said that he had also received an email from Harbor Master Griffin regarding comments that had been made about the boaters speeding in the NO WAKE zone. He then said that he was aware that Harbor Master Griffin was working very hard and performing his job admirably.

Harbor Master Griffin then spoke about the issue and requested two buoys with NO WAKE signs placed in the channel where the zone begins. He added that the Norwalk Marine Police is understaffed, but working as hard as they can. Harbor Master Griffin also pointed out that the Marine Police were not sign installers, and there were also issues with cormorant nesting season.

Mr. D'Andrea said that right now the Commission does not have the funding to pay for the signs. He said that he would prefer that the issue go to the Safety Committee first for discussion and that the issue be brought back to the Commission with recommendations in July. Harbor Master Griffin then suggested that perhaps a note could be made on a violator's insurance record.

Mr. D'Andrea said that he was appalled at the radio courtesy on Channel 16 this past week-end when the R/V Oceanic had an emergency and the captain could not get through to the Coast Guard on Eaton's Neck. Someone else was also out on the water and claimed to be the Harbor Master. This situation is being looked into.

There is also another issue of a dead zone on Channel 16 in the middle of the Harbor. It appears to be a microphone that was left on. Mr. Callahan will look into this matter.

Mr. D'Andrea said that he later learned that several civilian had been attempting to enforce the laws in the harbor. These individuals have been spoken to about this. The discussion then moved to working on determining where this problem is stemming from. The information will be given to the Safety Committee.

### **APPLICATION REVIEW**

Ms. Clark said that the Application Review Committee had not met in June.

#### **2009-14 – Thomas Balsey, 14 Pine Point Road, Rowayton**

She then reported that the Committee had reviewed Application 2009-14 and there were no changes in the application. A letter needs to be sent to the CT DEP by July 16<sup>th</sup>.

#### **2009-13 Revised: Richard Scalise, 15 Seabreeze Place, Norwalk.**

Ms. Clark then said that application 2009-13 had been presented to the CT DEP. A request for the applicant to meet applicable City Codes including the Building Code that was included in the finding was not included in the draft application. Ms. Clark then asked if this request should be included in the letter sent to the CT DEP.

Ms. Clark then said that she would be away for the July Application Review Meeting, but would be back for the Commission meeting. The other members of the Application Review Committee will meet to review any applications in her absence.

### **PLANNING AND ZONING**

No report. Mr. D'Andrea met with Mr. Strauch who requested that he be kept in the loop about any conditions on the landward side of the high water mark so that he could tag the file.

### **OTHER REPORT**

**Dredging** – Dr. Pinto reported that meetings are still underway with the ACOE about the 3.5 million dollars. Dr. Pinto said that he has been working with Mr. Hamilton on this. On the State level, the CT Harbor Management Association has finalized a date for a seminar on the new dredging equipment for Connecticut. This will be on July 19th and is tentatively scheduled for the Sound School. Discussion then followed.

Mr. D'Andrea said that he was still in discussion with Mr. Hamilton about the matching funds for the capping. He said that he had put together some numbers for the Commission that would be given to Mr. Hamilton regarding the amount of money that the Commission had expended including the amount expended for the testing. Discussion then followed. Harbor Master suggested that a special meeting of the Dredging Committee to come up with a consensus.

**Finance** – Mr. D'Andrea asked if the postage account had been balanced out. Harbor Master Griffin said that it was.

**Boat and Harbor Safety** – Mr. D'Andrea asked Sgt. Lapak if they had any comments about the issues discussed. Sgt. Lapak said that Officer Torrano was working on getting the replacement NO WAKE signs. Officer Torrano said that a group of businesses had gotten together and purchased a number speed buoys. A few other temporary speed buoys were created by the Police Officers, which only lasted one boating season.

Sgt. Lapak said that a resident of Charles Creek had come in to his office earlier to inform them of a boat speeding problem right in the Creek. Harbor Master Griffin pointed out that if DEP was requiring placement of speed buoys, then seeing if there was funding from the State. He said that it is not possible to have it both ways in terms of

having a greater presence on the water or having the Marine Police creating, repairing and replacing signs. Officer Torrano said that after the boat show this year, the five new buoys will be pulled for the winter. Discussion followed.

Sgt. Lapak said that the Marine Police will be addressing the issues of rowing vessels in the Harbor. He said that last year, Harbor Master Griffin had a meeting with the rowing clubs last year and that it had worked out well. It would be good to have a refresher course again. Harbor Master Griffin asked if there were extra buoys that were used for the Boat show that could be used for the rowing clubs south of Peach Island. He added he thought all the coaching vessels should have VHS on board so that other vessels can contact them.

**Water Quality/Watershed Initiative** – Mr. D’Andrea said that he was trying to reach out to Aquaculture regarding working together on the water quality. The same hot spots remain. Interns are on board and the program is moving full speed ahead.

The Watershed group will meet tomorrow at 3 p.m.

**Plan and Recommendations** – No meeting this month, but one will be scheduled promptly.

**Newsletter/Website** – Mr. Romano said that the newsletter was ready to go to press. Mr. Mobilia said that he is working to reduce the size of the file from 25 meg. He said that there was no communication with the webmaster. It will be posted on the website and later compressed into a zip file to email to interested parties.

Mr. Romano announced that he would be in Cape May tomorrow for his grandson’s graduation from the Coast Guard Academy.

Harbor Master Griffin suggested that the pdf file could be sent to all the yacht clubs in the area.

**Waterfront Advisory** – Harbor Master Griffin said that his report would remain as submitted. He then gave a brief overview of the report.

## STAFF REPORTS

### **Harbor Master’s Report** –

Harbor Master Griffin said that he had the transmittals for Mr. Cebrian. Mr. D’Andrea said that he would make copies after the meeting.

Under Item 4F, Harbor Master Griffin said that he had asked the Chairman to attend a meeting about the DEP boundaries. All the moorings have now been set within the boundaries.

**\*\* DR. PINTO MOVED TO ACCEPT THE HARBOR MASTER’S REPORT.**

**\*\* MS. CLARK SECONDED.**

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

**Consultant** – Mr. Steadman said that there had been a discussion about how the Commission would respond when the DEP approved a project that is not consistent with the Harbor Plan and how they would show just cause. There will be a meeting on July 8, 2010. He added that he felt that the Harbor Commission should be informed of pending litigation. Mr. Steadman then informed the Commission that there had been a case recently about a Norwalk property owner on Woodland Road who built stone walls without a permit. The judge fined the defendant \$75,000 for this, but the funding will not be coming to the Harbor. The discussion then moved to the legal details of consent decrees and how the fines are handled.

### **APPROVAL OF MAY 2010 MINUTES**

The following corrections were noted:

Page 2, under NHMC Application #2010-07 – Cedar Hammocks LLC – paragraph 2, line 1: please change “it was within the 17 foot flood elevation” to “it was at or above the 17 foot flood elevation”

Page 3, paragraph 2, line 1: please change the following from: “permit was for 490 Water Street” to “permit was for 90 Water Street”

Page 3, under Dredging, paragraph 1, line 3: please change the following from: “from the DEP and EPA in June” to “from the DEP and ACOE in June”

Page 5, under New/Old Business, paragraph 1, line 1, please change the following from “to Commissioner Amey Marrella of the DEP” to “to Commissioner Amy Marrella of the DEP”

**\*\* DR. PINTO MOVED TO APPROVE THE MINUTE OF THE MAY 2010 MEETING AS CORRECTED.**

**\*\* MR. CALLAHAN SECONDED.**

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

### **NEW / OLD BUSINESS**

Everyone is invited to watch Harbor Master Griffin christen the C.J. Toth on Friday night 6:30 p.m. at the Seaport Dock. Mr. D'Andrea will send out invitations.

Ms. Clark asked about the high speed catamaran ferry that is scheduled to use Norwalk Harbor. Mr. D'Andrea said that Sgt. Lapak will be escorting the vessel in and out of the harbor during the initial trips

Captain Scott Clingenpeel from the Norwalk Yacht Club greeted the Commission.

Mr. Fred Edelman asked for details about the high speed passenger ferry that would be coming into Norwalk as part of a ferry line to Martha's Vineyard. Ms. Clark reviewed the details with him.

Mr. Edelman said that previously he did not realize that the Harbor Master had such a clear grasp of all the events in the Harbor, but after being present for the meeting, he was suitably impressed with Harbor Master Griffin's knowledge of the harbor and all activities involved. He then said that he public would like to retract his earlier concerns about Harbor Master Griffin.

Mr. Steadman pointed out that Harbor Master Griffin was the longest serving Harbor Master in the State of Connecticut.

#### **ADJOURNMENT**

**\*\* MR. PALAU MOVED TO ADJOURN.**

**\*\* MR. CALLAHAN SECONDED.**

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

The meeting adjourned at 9:11 p.m.

Respectfully submitted

Sharon L. Soltes  
Telesco Secretarial Services.