

**CITY OF NORWALK
NORWALK HARBOR MANAGEMENT COMMISSION
REGULAR MEETING
MARCH 24, 2010**

ATTENDANCE: Tony D’Andrea, Chair; Henry Palau, Michael Harden,
Tony Mobilia, Jack Callahan, Pat Clark, Dr. John Pinto,
Jose Cebrian (7:40 p.m.) John Romano (7:50 p.m.)

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

OTHERS: Brian Griffin, Deputy Harbor Master

CALL TO ORDER

Mr. D’Andrea called the meeting to order at 7:00 p.m.

ROLL CALL

Mr. D’Andrea called the roll, and stated that the members as listed above were in attendance.

CHAIRMAN’S REPORT

Mr. D’Andrea said that he would like to note for the record that without Ms. Pat Clark the Application Review Committee is extremely difficult if not impossible to handle. He stated the absence of Pat Clark makes his job unmanageable, and he welcomed her back from her vacation. He stated that it was a very busy docket this month, lots of interactions with the DEP and he thanked all members of the Committee for their involvement and support.

Mr. D’Andrea stated that due to the number of items covered from Application Committee meeting that was held prior to this meeting, items would be continued on the agenda; therefore he was requesting requested a suspension of the rules.

APPLICATION REVIEW COMMITTEE

Ms. Clark stated that they had received a CAM referral from Planning & Zoning as follows:

Sea streak, LLC—proposed ferry terminal and service for information purposes only. She stated that the COP application is not yet come to review, and the application is just too large to review at this point, and therefore she recommends the item be tabled until April.

Application #1-10R: Proposed amendments to the Building Zone Regs
Section 18-1100 Flood Hazard Zone, referred D. Wilson:

Mr. D'Andrea provided a copy of a memo from Dorothy Wilson of the Norwalk Zoning Commission that stated the proposed amendments would revise the Flood Hazard Zone regulations to comply with the FEMA maps. Mr. D'Andrea stated that he reviewed the plan and cannot find where the HMC is responsible and it is under their purview with the 100 year benchmarks. Mr. Steadman stated he had reviewed this and read the policy on flooding and erosion. Mr. Romano questioned if Planning & Zoning should provide the guiding authority position statement as part of their due diligence. Dr. Pinto clarified that this was just a courtesy to provide input, and Mr. D'Andrea stated that he would write a letter in response stating the Commission's position of agreement

Hilliard Bloom Shellfish, 132 Water Street application #200203648-SJ. Ms. Clark stated that this was previously reviewed and the proposal was found to be NOT CONSISTENT. However, new information has been provided therefore this application is a continuation for authorization to install seasonal 10' finger floats on an existing tee float.

**** MS. CLARK MOVED BASED ON THE GUIDING PRINCIPLES SET FORTH IN THE NORWALK HARBOR MANAGEMENT PLAN, AND THE INCLUSION OF APPLICABLE INFORMATION, THE APPLICATION REVIEW COMMITTEE RECOMMENDS THE FOLLOWING MOTION TO THE COMMISSION:**

THAT THE HILLIARD BLOOM SHELLFISH, 132 WATER STREET APPLICATION #200203648-SJ. FOR AUTHORIZATION TO INSTALL SEASONAL 10' FINGER FLOATS ON AN EXISTING TEE FLOAT. IS NOT CONSISTENT WITH THE PLAN HOEVER:

- 1. HISTORICAL USE PREDATES NHMP. THIS SHOULD NOT SET A PRECEDENT FOR FUTURE APPLICATIONS.**
- 2. FINGER PIERS ARE TO ENSURE SAFER BOARDING OF VESSELS.**
- 3. NO VESSEL SHALL ENCROACH UPON THE FED CHANNEL LINE**
- 4. FINGERS MUST BE REMOVED SEASONALLY.**

**** MR. PALAU SECONDED.**

**** THE MOTION PASSED WITH SEVEN IN FAVOR NONE OPPOSED AND ONE ABSTENTION (D'ANDREA).**

Ms. Clark requested a suspension of the rules to add the following application to the agenda for review:

2010-03 DEP# 200300134-SJ – Hillard Bloom Shellfish, Inc. 100 Water Street to retain existing 12x14 float, reduce 8’x16’ float to 8’x12’ and relocate 2.5’ x2.5’ finger float within applicant’s property line.

**** MS. CLARK MOVED BASED ON THE GUIDING PRINCIPLES SET FORTH IN THE NORWALK HARBOR MANAGEMENT PLAN, AND THE INCLUSION OF APPLICABLE INFORMATION, THE APPLICATION REVIEW COMMITTEE RECOMMENDS THE FOLLOWING MOTION TO THE COMMISSION:**

THAT 2010-03 DEP# 200300134-SJ – HILLARD BLOOM SHELLFISH, INC. 100 WATER STREET TO RETAIN EXISTING 12X14 FLOAT, REDUCE 8’X16’ FLOAT TO 8’X12’ AND RELOCATE 2.5’ X2.5’ FINGER FLOAT WITHIN APPLICANT’S PROPERTY LINE.

IS CONSISTENT WITH THE PLAN WITH THE CONDITION THAT THE COMMISSION RESERVES THE RIGHT TO RE-EVALUATE THE PROPSAL AT SUCH A TIME AS IT MAY BE SUBMITTED TO THE PERMITTING AUTHORITY, MODIFEID, GO TO PUBLIC NOTICE, OR WHEN ADDITIONAL INFORMATION BECOMES AVAILABLE.

**** MR. CEBRIAN SECONDED
** THE MOTION PASSED WITH SEVEN IN FAVOR, NONE OPPOSED AND ONE ABSTENTION (D’ANDREA).**

Mr. Palau suggested that a letter be written to the DEP asking them t review their files to be research other old “pending” applications that may have been suspended or lost. Mr. Steadman agreed that this was a good idea and he would draft a letter.

PLANNING AND ZONING REPORT

There was no report from Planning and Zoning.

REPORTS

Dredging – Dr. Pinto said that the HMC has been asked to give support and review of the feasibility usage of a preparatory management system for experimental use in Connecticut waters to be evaluated for consideration in Norwalk . Mr. D’andrea stated that he would prepare a letter showing the consensus of support.

- ** MR. CALLAHAN MOTIONED TO REVIEW THE FEASIBILITY USAGE OF A PREPARATORY MANAGEMENT SYSTEM FOR EXPERIMENTAL USE IN CONNECTICUT WATERS TO BE EVALUATED FOR CONSIDERATION IN NORWALK .**
- ** MR. CEBRIAN SECONDED**
- ** THE MOTION PASSED UNANIMOUSLY.**

Finance – Mr. Cebrian distributed copies of the Financial Status (cash position) as of 3/24/10 financial report to the Commission, and he asked for the members to provide him with outstanding bills for payment. Mr. D’Andrea clarified that would only be for the current year, not for prior year items that are in dispute.

Boating and Harbor Safety – No report.

Water Quality – Mr. Harden said that the medallions are being applied to the storm drains along the speed bump areas. There was no Watershed Initiative report.

Plans and Recommendations – Mr. Mobilia provided minutes of the Plans and Recommendations Committee, summarized as follows:

- Discussions were continued on how to spread the cost of running the harbor to all boaters using the harbor. How would fees be implemented? Who would be charged? Would a staff person be needed to implement any kind of a fee plan. These and other questions would have to be answered before we would move forward to recommend any action to the Council. It was decided it may be necessary to have a workshop meeting and to invite members of the Council and Corporation Counsel for guidance to this meeting. The committee agreed to bring forward to the commission the idea of a “fee Workshop Meeting.
- A proposed Application Review Fee was discussed It was agreed to have a meeting with Mike Greene, Director, Planning & Zoning, to see if it was feasible, through his department to have a fee structure, since there is one in place for other types of construction in the City.
- Local permit for docks and piers was discussed, and the committee was reminded that there was a previous meeting held on this topic with Corporation Counsel and Chief Building Official, Mr. Bill Ireland a few years ago. At that time, Corporation Counsel as to review City Codes and get back to us. The committee agreed to follow up n this again.

Dr. Pinto mentioned that he had been in the preliminary meeting since he is on the Planning & Zoning Board and feels that is the intent of the Board to have a fee structure.

Mr. D'Andrea noted that the fee workshop may be several meetings, not just one, and Pat Clark should be included in any permit review meeting.

- ** **MR. MOBILIA MOTIONED TO HAVE A FEE WORKSHOP MEETING AND TO INVITE MEMBERS OF THE COUNCIL AND CORPORATION COUNSEL.**
- ** **MS. CLARK SECONDED**
- ** **THE MOTION PASSED UNANIMOUSLY.**

Waterfront Advisory Harbor Master Griffin provided a written report summarizing the Nor-Eastern storm that did not have a major impact on the Vets Park facilities, floats and docks at the City Marina remained in place and did not appear to suffer wind or wave damages, but unusual tides and wind did leave the park inundated with debris.

Newsletter/Website – Mr. Romano asked when the Board wanted the newsletter, and requested members to resend articles to him to re-circulate to the members for comment and inclusion with the next newsletter.

STAFF REPORTS

Harbor Master/Harbor Manager

Harbor Manager's Report - Harbor Master Griffin reviewed this written report and presented copies of his report. He highlighted the financial summary covering 5 deposits totaling \$6,991 representing total to date for the season at \$8,545 with a breakdown by club of the permits and payment fees collected. He pointed out that he attended five meetings this past month regarding the Harbor, which are listed on his report, and noted 318 customer service phone calls for the February/March period, mostly related to new permit fees and new mooring requests, which totaled 25 hours).

Mr. D'Andrea said if no objection, the report would be accepted, and hearing none, the report was accepted.

Consultant – No report.

APPROVAL OF FEBRUARY 2010 MINUTES

- ** **MR. PALAU MOVED TO APPROVE THE MINUTES OF THE FEBRUARY 2010 MINUTES AS SUBMITTED.**
- ** **MS. CLARK SECONDED.**
- ** **THE MOTION PASSED UNANIMOUSLY.**

NEW/OLD BUSINESS

Mr. Callahan suggested they have a state of the harbor meeting in spring and an annual review meeting to have the local harbors have a chance to ask questions of the Commission.

Mr. D'Andrea provided a list of the dates of the meetings for 2010 and stated he is working on a list of Commissioner terms, reappointments and expiration dates.

Mr. D'Andrea asked Dr. Pinto to report on the procedure for appointment of Harbor Master and Deputy Harbor Master.

Harbormaster Reappointment Proceedings

Dr. Pinto presented a copy of the last letter to Governor Rell outlining the process pursuant to Section 15-1 of the CT State Statutes relative to Harbor Management Commission process for reappointing the Harbor Master.

After much discussion on the appointment proceedings and state requirements, the following names individuals were presented for submission for Harbor Master:

1. Michael Griffin, 7 Donohue Drive, Norwalk, CT 06851
2. Brian Griffin, 54 Noahs Lane, Ext, Norwalk, CT 06851
3. John Frank, 73 Cranbury Road, Norwalk, CT 06851

Dr. Pinto called for nominations from the floor, three times, as required, and hearing none, presented the above list as the recommendations from the Commission.

Harbor Master Griffin asked if he should be on the list for Deputy Harbor master as well, and if he could be on both lists. He explained that in view of his eventual retirement, this may be the time for him to step aside to the Deputy roll to allow for further involvement of the current Deputy to then be in a position to take over as Harbor Master.

Mr. Romano stated that according to the statutes, the list of names for the position of deputy can only come from the Harbor Master, and he would be, in essence, nominating himself. Mr. D'Andrea stated that the Harbor Master could nominate himself and could be on both lists.

The following names individuals were presented for submission for the position of Deputy Harbor Master:

Deputy Harbor Master Recommended Names

1. Brian Griffin, 54 Noahs Lane, Ext, Norwalk, CT 06851
2. Michael Griffin, 7 Donohue Drive, Norwalk, CT 06851
3. John Frank, 73 Cranbury Road, Norwalk, CT 06851
4. Ron Corbin (address to follow)

Dr. Pinto called for nominations from the floor, three times, as required, and hearing none, presented the above list as the recommendations for the position of Deputy Harbor Master from the Commission.

ADJOURNMENT

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

**** MR. HARDEN SECONDED.**

**** THE MOTION PASSED UNANIMOUSLY.**

The meeting adjourned at 9:15 p.m.

Respectfully submitted,

Marilyn Knox
Telesco Secretarial Services