

**CITY OF NORWALK
NORWALK HARBOR MANAGEMENT COMMISSION
REGULAR MEETING
APRIL 22, 2009**

ATTENDANCE: Tony D'Andrea, Chair; Tony Mobilia, Pat Clark, Dr. John Pinto, Michael Harden, Jack Callahan, John Romano, Henry Palau; Jose Cebrian (7:36 p.m.)

OTHERS: Michael Griffin, Harbor Master; John Frank, Shellfish Commission; Barry Smith, past Commander of the Ischoda Yacht Club; Mr. Geoff Steadman (7:44 p.m.)

CALL TO ORDER

Mr. D'Andrea called the meeting to order at 7:30 p.m.

ROLL CALL

Mr. D'Andrea called the roll. A quorum was present. He also announced that for the foreseeable future, Planning and Zoning would not be attending the meetings.

CHAIRMAN'S REPORT

Mr. D'Andrea then read his report to the Commission.

Mr. Cebrian joined the meeting at 7:36 p.m.

**** MS. CLARK MOVED TO SUSPEND RULES TO ADD TWO ITEMS TO THE AGENDA:**

NOTICE OF TENTATIVE DETERMINATION FROM THE DEP AT 63 BLUFF AVENUE AND;

NORWALK HARBOR MANAGEMENT COMMISSION APPLICATION REVIEW COMMITTEE GUIDELINES AND REQUIREMENTS FOR PROPOSALS SUBMITTED TO THE NORWALK HARBOR MANAGEMENT COMMISSION.

**** MR. PALAU SECONDED.**

**** THE MOTION PASSED UNANIMOUSLY.**

2009-05 Ischoda Yacht Club

Ms. Clark then reviewed the current revision of the Ischoda Yacht Club with the Commission. In order to comply with FEMA requirements, additional pilings will be required.

**** 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 COP PROPOSAL FOR ISCHODA YACHT CLUB, 138 WATER STREET, SOUTH NORWALK, FOR WORK AT THE SAME, INVOLVING MODIFICATION OF CLUBHOUSE AND DECK FOR FEMA COMPLIANCE REQUIRING ADDITIONAL PILINGS FOR PLANS APPROVED IN 2007 & 2008.

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

**** DR. PINTO SECONDED.**

Nothing has changed in the elevation or basic plan has changed. In order to meet the FEMA guidelines, the support work for the decking and the clubhouse needed to be separated. The architects have made the necessary revisions.

**** THE MOTION PASSED UNANIMOUSLY.**

Mr. Smith thanked the Commission for their assistance in this project.

2009-06 Shore and Country Club

Shore and Country Club has submitted a Certificate of Permission for in kind repairs for two concrete groins that were installed prior to 1980.

**** 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 COP PROPOSAL FOR SHORE AND COUNTRY CLUB, 220 GREGORY BLVD. FOR WORK AT THE SAME INVOLVING IN-KIND REPAIRS TO TWO EXISTING CONCRETE GROINS INSTALLED PRIOR TO 1980 ENGINEERED DRAININGS DATED APRIL 2, 2008 BY ROBERGE ASSOCIATES

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

Mr. Steadman joined the meeting at 7:44 p.m.

**** MR. CALLAHAN SECONDED.**

There is no impact on coastal resources and the footprint will remain unchanged. The elevation will basically remain the same or be reduced. The broken blocks in the structures will be replaced.

**** THE MOTION PASSED UNANIMOUSLY.**

2009-07 Deborah Dawson, 6 Shorehaven Road.

Ms. Clark said that Mr. Hilts had sent the Commission some drawings and there were some concerns about the plans. Additional information is needed and the application Committee recommended that this application be tabled until the additional information is submitted. Ms. Clark added that the Shellfish Commission was opposed to this particular proposal.

2009-08 71-73 Osborn Avenue Notice of Tentative from the DEP

The DEP notification intent to waive the Public Hearing for application #220402465-SJ was filed by Hacienda D&D, LLC, located at 200 Nyala Farm Road, Westport, but the site of the work will be at 71-73 Osborn Avenue behind the new condominiums. The DEP has published a notice of intent to waive the public hearing for this application. This is to install a six foot square section of an existing walkway bridging a small gulch and installing a 15' x 53' public access walkway.

**** 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 DEP NOTIFICATION OF INTENT TO WAIVE PUBLIC HEARING PERMIT #220402465-SJ FOR HACIENDA D&D, LLC, LOCATED AT 200 NYALA FARM ROAD, WESTPORT, FOR WORK AT 71-73 OSBORN AVENUE INVOLVING RETAINING A SIX FOOT SQUARE SECTION OF EXISTING WALKWAY AND THE INSTALLATION OF A 15'X 53' PUBLIC ACCESS WALKWAY.

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

ADDITIONAL COMMENTS &/OR CONDITIONS; THE PROPOSAL MUST ENSURE COMPLIANCE WITH ALL CITY CODES AND REGULATIONS, INCLUDING BUT NOT LIMITED TO THE BUILDING CODES.

**** MR. PALAU SECONDED.**

The site is located just past Oyster Bend on the river. A portion of the walkway will extend over the high tide line and will be supported with pilings. Mr. D'Andrea said that he had looked at the site and that the drawing was substantially correct.

**** THE MOTION PASSED UNANIMOUSLY.**

Notice of Tentative Determination from the DEP at 63 Bluff Avenue

Ms. Clark then announced that one of the items that she wished to introduce was a Notice of Tentative Determination from the DEP at 63 Bluff Avenue. Ms. Clark said that she had reviewed the documentation and that it was unchanged from the previous determination. Ms. Clark said that she was recommending that the Commission just resend the letter to the DEP stating the Commission's previous statement. This was agreeable to all.

**Norwalk Harbor Management Commission Application Review Committee
Guidelines and Requirements for Proposals Submitted to the Norwalk Harbor
Management Commission**

Ms. Clark then said that she had revised the Norwalk Harbor Management Commission Application Review Committee Guidelines and Requirements for Proposals Submitted to the Norwalk Harbor Management Commission. Ms. Clark then reviewed the changes that had been made in this latest revision. Ms. Clark then recommended that these guidelines be adopted so that copies can be sent to the regular agents and also include this in the next newsletter.

There were several concerns expressed about having all the necessary information on the application. Discussion then followed about the DEP requirements and the local building and zoning regulations. Ms. Clark duly noted the recommendations and said that she would revise the guidelines again and bring it back to the Commission next month.

An Application Review Committee meeting will take place before the next Commission meeting and a copy

Mr. D'Andrea said that he would suspend the rules to allow Harbor Master Griffin, who was not feeling well to present his report at this time.

STAFF REPORTS

Harbor Master Griffin reported to the Commission that one of the doorframes at the City dock had some serious rotting problems and that a request for emergency repairs had been submitted to the City.

He then announced that the staffing had begun at the David S. Dunavan Boating Center had begun on April 17th. Full time staffing will begin in after Memorial Day, weather permitting.

Harbor Master

Harbor Master Griffin then reviewed his report as the Norwalk Harbor Master. Many positive comments have been received about the dredging. Discussions regarding the finalization of the dredging and expenses for the dredging expenses followed.

Harbor Manager

Harbor Master Griffin then reviewed his Harbor Manager report with the Commission.

Harbor Master Griffin then requested that the Plans and Recommendation schedule a meeting in the near future to review the fee schedule should be. He also recommended that the per foot rating system be used along with two other suggestions for updated fees. Discussion followed.

**** MR. ROMANO MOVED TO ACCEPT THE HARBOR MANAGER'S REPORT.**

**** MR. PALAU SECONDED.**

**** THE MOTION PASSED UNANIMOUSLY.**

REPORTS

PLANNING AND ZONING – No report.

DREDGING

Dr. Pinto said that the early stages of Phase 3 of the dredging are being worked on. Calls have been made to Senator Lieberman's office requesting funding for the project. He then said that finalized spreadsheets have been received from the ACOE and there will be a conference call with the ACOE, the Mayor and the Dredging team on April 30th.

Phase 1 required a CAD cell, and the City was required to pay for 10% of the cost of the cell. Since not all of the money had been used, there will be a refund, but Dr. Pinto then cautioned the Commission that there were still outstanding expenses that had to be paid.

Phase 2 funding also resulted in a refund coming to the City, but the final accounting is being worked out. Mr. D'Andrea said that it would be important to insure that the money that was authorized by Atty. Maslan to be spent on North Cove testing in May of 2008 needs to be recaptured because they were authorized to be spent out of Harbor Commission funding.

FINANCE

Mr. Cebrian said that there would be a tentative approval of the grant for the Commission, which will be the same amount as last year.

BOATING AND HARBOR SAFETY – No report

WATER QUALITY -

Mr. Harden said that there had been a meeting earlier in the day. The topics discussed during the meeting were the hiring of interns, Platt Street situation, and a March 14th

sewage bypass and follow up letter supporting the Shellfish Commission's concerns. The next meeting of the Water Quality Commission

WATERSHED INITIATIVE

Mr. D'Andrea said that the next meeting is scheduled in the near future.

PLANS AND RECOMMENDATIONS

There was no meeting last month, but a meeting will be scheduled before the next Harbor Commission meeting.

NEWSLETTER/WEBSITE

No report. Dr. Pinto announced that he almost made the newsletter deadline. Mr. Mobilia announced that the Website has been updated.

STAFF REPORTS CONT'D

CONSULTANT

Mr. Steadman said that the next step is to have the Plan adopted by the Parks and Recreation Committee and the Ordinance Committee.

APPROVAL OF THE MARCH 2009 MINUTES

The following corrections were noted:

Page 2, under **2009-03 Vantage Point Associations, Inc. 100 Seaview Ave.; CT DEP #200502096-SJ** paragraph 1, please change references to "Mr. Redman" to "Mr. Redniess"

Page 3, please replace the following section:

Finance

Mr. Cebrian distributed copies of his report. He said that there were no City funds to pay for dredging.

With:

Finance

Mr. Cebrian distributed copies of his report. He stated that City is saying that there are no City funds available to pay the Harbor Commission back for North Cove Dredge Testing as previously approved by Atty. Maslan.

Pg. 4, Section titled "**Watershed Advisory**": please change this to "**Watershed Advisory Initiative**"

Page 5, under **Consultant**, please change the spelling of "Mr. Stedman" to "Mr. Steadman" throughout.

Page 5, under **Consultant** paragraph 3, line 2: please change "Mr. Greene about the next" to "Mr. Greene about the next step."

**** MS. CLARK MOVED TO APPROVE THE MINUTES OF MARCH 2009 AS CORRECTED.**

**** MR. PALAU SECONDED.**

**** THE MOTION PASSED UNANIMOUSLY.**

New /Old Business

The Commissioners then Congratulated Mr. Romano on the new addition to the Harbor Commission family.

Mr. Palau asked if there would be a continued absence by Planning and Zoning staff at the meetings. Mr. D'Andrea said that he had been in discussion with Planning and Zoning about this. Their absence is due to budgetary constraints. Discussion then followed.

Mr. D'Andrea said that he had spoken to the City Clerk about the storage of archived records and that the documentation can be stored at City Hall, but each box must be indexed and properly marked.

ADJOURNMENT

**** MR. PALAU MOVED TO ADJOURNED**

**** MR. HARDEN SECONDED.**

**** THE MOTION PASSED UNANIMOUSLY.**

The meeting adjourned at 9:17 p.m.

Respectfully submitted

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Sharon L. Soltes
Telesco Secretarial Services



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