

# *Norwalk Harbor Management Commission*

## *Application Review Committee*

### *Minutes: September 15, 2009*

Attendees: Pat Clark, chair; Henry Palau; John Pinto, Jack Callahan, Tony Mobilia, John Frank, Shellfish Commission; Mike Griffin, Harbormaster (7:40); Geoff Steadman (7:50); Ray Redniss; Devon Santa; Matt Rakowski; Skip Gardella

Meeting called to order at 7:35

1. 2009-10 Revised: David Woodward, 16 Tonetta Circle, East Norwalk

CT DEP # 200802445-SJ. CT DEP Notice of Tentative Determination to approve revised application; plans prepared by Roberge Asso, dated 8/03/09. The proposed work includes installation of a pile supported pier, ramp, float, and six additional pilings with float stops to support lifts for a vessel and the float. Total encroachment is 52'. The work also seeks to "retain and maintain an existing seawall". The Draft Permit included with the Notice describes repair work to the base of the seawall that will add poured concrete extending 18" waterward of the existing wall. The drawing depicting that work was not prepared by an engineer or licensed surveyor.

The Dept of Aquaculture has determined that this activity will not significantly impact any shellfish area. Norwalk Shellfish Commission has issued a written comment strongly objecting to the proposed installation, and has submitted a petition for a public hearing to DEP. Comments must be received by DEP on or before September 28, 2009.

A lengthy discussion ensued between the Commission and the agents for the applicant, Devon Santa and Matt Rakowski, with further comments from John Frank. The Committee voted 3-0-0 to table any recommendation or comment until the full Commission meeting Sept. 23, 2009 pending information about the possible public hearing.

2. 2009-09 Revised: Anthony & Elise Tomas, 18 Tonetta Circle, East Norwalk

CT DEP # 200802443-SJ. Proposal for work at the property located at the southern property line of the Woodwards. The revised application includes drawings dated 7/7/09, prepared by Roberge Associates. Proposed work includes an encroachment of 50' 3" and includes a pile-supported timber pier, ramp, float, six pilings with float stops to support two lifts for the float and a vessel.

The Committee voted 3-0-0 to table this item pending further information.

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3. 2009-03 Cont: Vantage Point Association Inc., 100 Seaview Ave, East Norwalk

CT DEP # 200502096. Application to authorize and maintain structures in Norwalk Harbor's East Basin. The Association seeks to come into compliance with the Norwalk Harbor Management Plan; to authorize non-permitted repairs to the bulkhead surrounding the property, and to amend the original 1974 Permit regarding the berthing of vessels.

Revised drawings dated Sept. 3, 2009 were prepared by Redniss and Mead, showing the relocation of the southernmost finger float to the north, removing it from any encroachment into waters of the public trust at the end of Second Street; there is also written notice from the Association agreeing to the relocation. In addition, there was lengthy discussion regarding the permanent berthing of vessels along a portion of the 235' dock, which was specifically prohibited in the original permit. The relocation of the Federal Anchorage area puts the dock farther than 10' away from the Channel/Anchorage line.

The Committee voted 3-0-0 to recommend the proposal is consistent with the Norwalk Harbor Management Plan with three conditions:

1. No water-access structures used for docking or mooring of vessels, and no vessels attached to those structures should encroach in the extension of the City's Second Street right-of-way in Norwalk Harbor as shown on the drawing "General Location Survey depicting East Branch-Norwalk Harbor" dated April 3, 1995, prepared for the Norwalk Harbor Management Commission by Redniss & Mead, and on the plans attached to Permit No. 74129 issued to Vantage Point Properties by CT DEP. Any existing structures that encroach into the extension of the City's Second Street right-of-way in Norwalk Harbor and that support the docking or mooring of vessels should be removed.
2. That vessels may be berthed along the northernmost 90' of the dock, so long as no in-water structure or vessel attached to it may encroach into the 10' setback from the Federal Anchorage.
3. The condominium Association shall provide appropriate signage regarding areas of allowable berthing along the existing dock.

Meeting adjourned 9:35 p..m.

Pat Clark,  
Chair

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