

**CITY OF NORWALK
HARBOR MANAGEMENT COMMISSION
REGULAR MEETING
JULY 26, 2023**

ATTENDANCE: Alan Kibbe, Chairman; Matt Gifford; Laurie Jones; Chris MacDonnell; Jeff Mangels; Mike Matthews; John Pinto; Chris White

STAFF: Amelia Williams

OTHER: Officer Justin Bisceglie; Tom Quinn, 36 Shorefront Park; Steven Bartush, Chairman of Shellfish Commission; Geoff Steadman, Consultant; Harbor Master Bruce Lovallo

CALL TO ORDER/PLEDGE

Chairman Kibbe called the meeting to order at 6:02 P.M. There was a quorum present.

ROLL CALL

A roll call of those present was performed.

PUBLIC COMMENT

There was no Public Comment at this time.

APPROVAL OF MINUTES: JUNE 28, 2023

**** DR. PINTO MOVED TO APPROVE THE MINUTES OF JUNE 28, 2023 AS AMENDED.**

**** MR. GIFFORD SECONDED THE MOTION.**

**** THE MOTION PASSED UNANIMOUSLY.**

New HMC Commissioner Mr. White came forwards to introduce himself to those present.

APPLICATION REVIEW COMMITTEE – DR. PINTO

36 SHOREFRONT PARK

CAM REFERRAL - THE APPLICANT PROPOSES TO DEMOLISH AN EXISTING HOME AND BUILD A NEW SINGLE-FAMILY RESIDENCE TO BE MADE FLOOD COMPLIANT. THE LOWEST UNFINISHED LEVEL OF THE STRUCTURE WILL BE FLOOD VENTED. TWO VEGETATED RAIN GARDENS, A PATIO, AND STORM WATER IMPROVEMENTS ARE ALSO PROPOSED.

Mr. Quinn came forward to discuss this item. This is a tear-down and rebuild. He provided images of the land for review. He provided the existing conditions of the property for review including details such as the concrete driveway and the catch basin. He reviewed the details of the drainage on the site. They are planning to remove the house and eliminate a lot of the concrete on the property. He provided their plans for review. It was confirmed that the carrying capacity of the proposed rain gardens was sufficient

for the area run-off. They will not be making any modifications to the sea wall. Further discussion followed. How the excess run-off from what would happen if there was a large amount of rain was reviewed.

**** MS. JONES MOVED THAT THE APPLICATION IS CONSISTENT WITH THE HARBOR MANAGEMENT PLAN.**

**** MR. MACDONNELL SECONDED THE MOTION.**

**** THE MOTION PASSED UNANIMOUSLY.**

STANDING ACTION ITEMS

OPEN DISCUSSION OF FUTURE WALK BRIDGE PROPOSALS REGARDING PLACEMENT OF TRANSMISSION CABLES BY EVERSOURCE AND DOT, DOT'S PLANS FOR STATIONING WORK BARGES IN NORWALK HARBOR; DOT'S PLANS TO MONITOR WATER QUALITY, AND BULKHEAD CONSTRUCTION AT PROPOSED SOUTH WATER STREET STAGING PROPERTIES.

Chairman Kibbe reported that they had submitted a comment to Eversource regarding the placement of high-tension wires, which he reviewed. He suggested that Eversource compensate the City for any overruns or special needs that are required to get the project done. Review of the various zones involved in the project and further discussion followed.

CHAIRPERSON'S REPORT – KIBBE

Chairman Kibbe expressed his appreciation of the number of commissioners present as the commission has had a shortfall in its representation due to membership attrition.

He reviewed the status of several ongoing programs. They have had productive meetings with the DOT Walk Bridge team. The Amistad will be visiting town for the Oyster Festival. There is a Veteran's Park Shorefront Restoration feasibility study that was reviewed. There has also been a request involving Greens Ledge Lighthouse.

There was a meeting with Dr. Crosby recently and they have hired a consulting firm regarding the installation of potential concrete structures to help minimize erosion and provide a habitat for shellfish. Further discussion followed regarding the installation of the structures.

STAFF REPORTS

HARBOR MASTER – LOVALLO

There was a report from a marine unit that there was a sailboat that had been anchored off Sheffield Island for several weeks. Mr. Lovallo recounted the actions he had taken to deal with the situation and find the owner. There was an illegal mooring at 34 Shorefront Park. He provided an update on the transient moorings.

CONSULTANT – STEADMAN

Mr. Steadman noted that they had not been successful this past legislative session in achieving an amendment to the Connecticut Harbor Management Act, which would have upheld and clarified the authority of this Commission and every other Harbor Management Commission in Connecticut. The Superior Court and the Appellate Court ruled that there is no legal authority for our Management Commission to review and comment on applications for state permits. He reviewed the impact of this decision. Further discussion followed. He discussed current ongoing issues with the Living Shoreline approach and how they were being resolved. The Bureau of Aquaculture is not convinced that they have served the purpose of creating a habitat for nurturing growth of shellfish.

The Director of the Bureau of Aquaculture is supportive of a condition in the Harbor Masters permit for issuing moorings for work barges during the Walk Bridge Project at Greens Ledge that was recently clarified. He will work with the Harbor Management Commission on developing an appropriate condition to attach to the permit.

SHELLFISH COMMISSION – BARTUSH

Mr. Bartush said that the Shellfish Commission had recently made motions regarding Eversource's proposal for placement of transmission lines under Norwalk Harbor that were in line with those of the Harbor Management Commission. There have been issues related to barge moorings which were reviewed. They have recently caught recreational shellfish poachers.

Chairman Kibbe raised questions regarding barge permitting that were answered to his satisfaction.

COMMITTEE REPORTS

MOORING AND HARBOR SAFETY – MANGELS

Mr. Mangels reported that DOCKWA was up and running. They have had visitors and received positive responses. He reviewed the current ongoings with the boats and moorings. They have been working with the Recreation and Parks Department which was recounted. They have been working to find the owner of an abandoned vessel. He reviewed the status of several ongoing payments.

FINANCE – MACDONNELL

Mr. MacDonnell came forward to deliver his report covering the revenues and expenditures. They have received an invoice from Mr. Steadman for five months of his consultant work for \$6,420.

- ** MR. MACDONNELL MOVED TO APPROVE THE INVOICE FROM MR. STEADMAN FOR PAYMENT.**
- ** MR. GIFFORD SECONDED THE MOTION.**
- ** THE MOTION PASSED UNANIMOUSLY.**

Further discussion followed regarding expenses.

PLANS AND RECOMMENDATIONS – MACDONNELL

Mr. MacDonnell reported that they had received a grant for \$44,000 and were planning to hire a consultant. Further discussion followed regarding plans involving the DPW regarding the City's right-of-way at street ends. He said that, otherwise, there was little to report and reviewed the current status of ongoing plans.

NEWSLETTER/WEBSITE – MATTHEWS

There was no report at this time.

WATER QUALITY – SCHNIERLEIN AND TBD

Mr. Schnierlein came forward to deliver his report. He reported on the quality of the water as monitored by USGS by the Aquarium dock with a water temperature of 78 deg. F. and dissolved oxygen levels of 0.1 ppm. He outlined the negative impact that that would have on incoming schools of fish.

He reviewed current interactions with the Department of Health regarding the red algae that Dick Harris sampled and took to NOAA labs at Milford and they identified it as *Prorocentrum minimum* (Pavillard) Schiller, which is common, bloom-forming dinoflagellate (Algae).

He requested that a sign be posted at the Taylor Farm dog park as two dog walkers had told him that their dogs became ill after swimming in the pond and there was an AKC dog show scheduled for the weekend.

Also reported was the establishment of a committee in conjunction with a Maritime Aquarium, Norwalk River Watershed Assoc. and Conservation Dept. grant to establish planting of native plantings at the southern tip of Veterans Park.

He also suggested that Eversource install markers on the east bank and West Bank indicating where the power lines were located in the event future digging and pile pounding has to take place.

Also mentioned were the fact that 12 rivers in the State have a fishing advisory for PFAS specifically targeting the bass species, but no testing was done on the Norwalk River.

NEW BUSINESS

Chairman Kibbe noted a need to respond to zoning issues, particularly on Water Street. He reviewed the issues ongoing on the street and zoning issues. Further discussion followed. A working agenda will be sent out and they will try to get some timelines established. Further discussion followed.

ADJOURNMENT

- ** MR. MANGELS MOVED TO ADJOURN.**
- ** DR. PINTO SECONDED THE MOTION.**
- ** THE MOTION PASSED UNANIMOUSLY.**

The meeting adjourned at 7:41 P.M.

Respectfully Submitted

Ian A. Soltes

Telesco Secretarial Services

ADENDUM

From: D Lauricella <dlauricella24@gmail.com>
Sent: Wednesday, November 15, 2023 3:53 PM
To: Kibbe, Alan; Williams, Amelia <Amelia.Williams@norwalkct.gov>
Cc: Vonashek, Jessica <jvonashek@norwalkct.gov>
Subject: Harbor Commission Public Comment 11/15/23

Dear Mr. Kibbe
Harbor Commissioners

Please include the following comments in the record. I am unable to attend tonight's meeting due to another engagement.

On occasion, I took the time to listen to the proceedings of the Harbor Management Commission and was able to listen to the September 27th meeting. I also reviewed the Minutes from August and July.

Corrections to the minutes:

1. Please add language to the minutes of July to use the phrase "**concern about contaminated properties**" under my name during public participation. I understand that your minutes are not verbatim but I think that this phrase is important to distinguish a credible concern that is and will affect our harbor going forward.