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CITY OF STAMFORD, CONNECTICUT STAMFORD HARBOR MANAGEMENT & SHELLFISH COMMISSION

Scheduled SHMC meeting on 2/15/2022 via Zoom; called to order at 6:32 PM-Chairman Ortelli presiding.

In Attendance:

Commissioners: Dr. Damian Ortelli, Chairman; Commissioners; Robert Karp; Michael Pensiero; Sam Abernethy; Ray Redniss; Russ Hollander (7:30 p.m.), Alternate.
Staff: Frank Fedeli, COS; Yale Greenman, Harbor Master; Frank Baldassare, Marina Supervisor, COS; Geoff Steadman, Consultant (7:00 p.m.); and Maria Vazquez-Goncalves, Recorder.
Absent: Commissioner Paul Adelberg; William Malloy, III; Sgt. Kevin Fitzgibbons, Stamford Police Dept. COS; Captain Eric Knott, Online Mooring; Scott Denise, Assistant Marina Supervisor, COS.

1) Review & Approval of Meeting Minutes

- **Commissioner Karp moved to approve January 18, 2022 minutes.**
- **Commissioner Abernethy seconded the motion.**
- **Unanimously approved.**

2) Chairman's Report

- Discussion on 205 Magee Avenue facility update: on 2/07/22 the COS ZB had a brief update regarding the status of work at the future facility. Additional remediation of brown fields has needed to be done causing delays. Developer is working with DEEP on the process.
- Discussion on West Beach Ramp/Cove Island Dredging. Current placeholder schedule for construction of the West Beach boat ramp which accords with the timing of the State permit. Project goes out to bid December 2022, bids due back February 2023, mobilize June 2023, construction substantially complete by October, dredging in late October 2023.

3) Committee Reports

Application Review Committee: Commissioner Karp: Committee met on 2/07/22, next scheduled meeting is on 3/07/22.

- Referral of CSPR 1126 – Paul Gudas, 71 Dean Street, Stamford, CT.

- **Commissioner Pensiero moved to accept the ARC recommendation of consistency with the Harbor Management Plan provided the Engineering Bureau determines compliance with all City storm water management requirements and to also recommend support for a maintenance agreement as a condition of project approval to ensure continued maintenance of the proposed storm water management system by the owner.**
 - **Commissioner Redniss seconded the motion.**
 - **Unanimously approved.**
- Referral of CSPR 1127 – Rahwa Senry, 39 Ralsey Road South, Stamford, CT.
 - **Commissioner Pensiero moved to accept the ARC recommendation of a finding of consistency with the Harbor Management Plan provided the Engineering Bureau determines compliance with all City storm water management requirements and to also recommend support for a maintenance agreement as a condition of project approval to ensure continued maintenance of the proposed storm water management system by the owner.**
 - **Commissioner Abernethy seconded the motion.**
 - **Unanimously approved.**
- Referral of CSPR 1128 – Gina Cappelli and Paul Garbuio, 6 Kenilworth Drive East, Stamford, CT.
 - **Commissioner Redniss recused himself.**
 - **Commissioner Pensiero moved to accept the ARC recommendation of a finding of consistency with the Harbor Management Plan provided the Engineering Bureau determines compliance with all City storm water management requirements and to also recommend support for a maintenance agreement as a condition of project approval to ensure continued maintenance of the proposed storm water management system by the owner.**
 - **Commissioner Abernethy seconded the motion.**
 - **Unanimously approved.**
- Referral of CSPR 1129 – Paul and Hermine Brindak, 161 Weed Avenue, Stamford, CT., overlooking Holly Pond.
 - **Commissioner Pensiero moved to accept the ARC recommendation of a finding of consistency with the Harbor Management Plan due to the net reduction in impervious surface, creation of a rain garden, splash blocks, and the overall improvement in the quality of storm water runoff.**
 - **Commissioner Abernethy seconded the motion.**
 - **Unanimously approved.**

- Referral of CSPR 1130 – DCQ Associates, LLC, 253 Dolphin Dove Quay, Stamford, CT.
 - **Commissioner Pensiero made a motion to transmit a finding without prejudice that the HMC is not able to make a favorable recommendation concerning this proposal at this time**
 - **Seconded by Commissioner Abernethy**
 - **Unanimously approved.**
- Referral of CSPR 1131 – David Miller, 76 Wallacks Drive, Stamford, CT.
 - **Commissioner Pensiero moved to accept the ARC recommendation of a finding of consistency with the Harbor Management Plan insofar as an improvement in water quality is expected and provided the Engineering Bureau determines compliance with all City stormwater management requirements and pending satisfactory soil tests to support planned design.**
 - **Seconded by Commissioner Abernethy**
 - **Unanimously Approved**
- CT DEEP LWRD License Application Pre-Submission Consultation Form – HMC – Tim Fazio, 280 Ocean Drive East, Stamford, CT.
 - **Commissioner Pensiero moved to accept the ARC recommendation of no objection to inclusion of the pre-application plans in an application submitted to DEEP provided that the plans are amended to show the extended northerly littoral property line and the distance between that line and the proposed water-access structure and that the applicant provides justification for the proposed location of the water-access structure nearby the property line. In addition, the SHMC would reserve its right to continue to review the applicant's proposal and provide additional comments at such time as it may be modified, additional information is provided, and the proposal may be the subject of a DEEP Public Notice or Hearing.**
 - **Seconded by Commissioner Abernethy**
 - **Unanimously Approved**
- CT DEEP LWRD License Application Pre-Submission Consultation Form – Shellfish Commission – Tim Fazio, 280 Ocean Drive East, Stamford, CT.
 - **Commissioner Pensiero moved to accept the ARC recommendation of the HMC/Shellfish Commission the finding of no objection to inclusion of the pre-application plans in an application submitted to DEEP with the understanding that no significant impacts on shellfish resources or shell fishing opportunities are anticipated. In addition, the SHMC would reserve its right to continue to review the applicant's proposal and provide additional comments at such time as it may be modified, additional information is provided, and if the proposal is the subject of a DEEP Public Notice or Hearing.**
 - **Seconded by Commissioner Abernethy**

- **Unanimously Approved**
- State of CT DEEP, COP - Eversource Energy, 1 Harbor Point Road, Stamford, CT.
 - **Commissioner Abernethy and Hollander abstained.**
 - **Commissioner Pensiero made a motion to transmit a finding of no objection with comments, including: it is the understanding of the SHMC that the proposed work is necessary to protect vital infrastructure; any conflicts with affected waterfront property owners are properly addressed; the SHMC reserves its right to provide additional comments and recommendations at such time as additional information may be provided; and the applicant's representatives, although invited, did not attend SHMC meetings to describe the project and answer the SHMC's questions.**
 - **Seconded by Commissioner Karp**
 - **Unanimously Approved**
- Referral of CSPR 1132 – City of Stamford, 888 Washington Boulevard, Stamford, CT.
 - **Commissioner Pensiero made a motion to transmit a finding of consistency with the Harbor Management Plan provided the Department of Public Safety determines that pedestrian access to and from the proposed bridge can be accommodated safely, including access to and from Greenwich Avenue and Pulaski Street, and to provide comments as discussed, including: the Harbor Management Plan encourages and supports safe and meaningful public access to and along the shoreline of the Harbor Management Area and implementation of the Mill River Greenway; the HMC will review the required applications for DEEP and federal permits for bridge construction and provide comments and recommendations to the permitting agencies; any changes to project plans necessitated by the state and federal permit reviews should be provided to the SHMC for review and comments; and the SHMC reserves its right to provide additional comments and recommendations at such time as additional information may be provided and the proposal is the subject of a public hearing.**
 - **Seconded by Commissioner Hollander**
 - **Unanimously Approved**
- Referral of CSPR 1133 - Peter Kilbinger Hansen, 16 Ocean View Drive, Stamford, CT.
 - **Commissioner Abernethy made a motion to transmit a finding that the proposed project as described by the applicant is inconsistent with the Harbor Management Plan and to provide comments as discussed, including that the proposed drainage plan appears to be in violation of Sec. 214-9 of the City Code**

prohibiting the discharge of any drainage over any roadway in the City.

- **Seconded by Commissioner Pensiero**
- **Unanimously Approved**

HMP & Financial Review Committee: No report.

Planning/Moorings Committee: No report.

Shellfish Committee: No report.

Marina Committee: Commissioner Hollander discussed the Safe Harbor docks and a discussion on the boat ramp locations.

Safety Committee: No report.

4) Staff Reports

Financial Review:

- Mr. Fedeli's discussed his financial report.

Harbor Master Report:

- Harbormaster Yalman gave a brief update.

Marina Supervisor:

- Mr. Baldassare updated the commission on the boat.

5) Old Business

- Status update on CHMC/Court Case.
- No update on Fees for harbor users.
- SoundWaters is hosting beach cleanup events: Sunday, 2/27/22 @ Cummings Park; Saturday, 3/26/22 @ Cove Island; Sunday 4/24/22 @ Boccuzzi Park; Saturday, 5/21/22 @ Cummings Park, all cleanups are from 1 p.m. – 3 p.m. SoundWaters will supply the gloves and buckets, they suggest attendees bring: Sturdy shoes or boots and warm clothes that can get dirty or wet.
- Discussion on the Deputy Harbormaster search.
- Discussion on Robert Strada Memorial.

6) New Business

- None

7) Public Participation:

- None

8) Next Scheduled Meeting: March 15, 2022 at 6:30 p.m.

9) Adjournment

- **Commissioner Abernethy made a motion to adjourn.**
- **Commissioner Karp seconded the motion.**
- **Unanimously approved.**