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**CITY OF STAMFORD, CONNECTICUT  
STAMFORD HARBOR  
MANAGEMENT & SHELLFISH  
COMMISSION**

Scheduled SHMC meeting on 7/18/2023 via Zoom; called to order at 6:30 PM-Chairman Ortelli presiding.

**In Attendance:**

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

**1) Review & Approval of Meeting Minutes**

- **Commissioner Adelberg moved to approve June 20, 2023, minutes.**
- **Commissioner Pensiero seconded the motion.**
- **Unanimously approved.**

**2) Chairman's Report (Discussed under Old Business)**

- a) Discussion regarding activity on the 14-acre Boatyard parcel.

**3) Committee Reports**

**Application Review Committee:** Commissioner Karp: Committee met on 7/10/23, next scheduled meeting is 8/07/23.

Referral of CSPR 1170 – Jordany Metellus and Patrick Metellus, 88 Avery Street, Stamford, CT.

- **Commissioner Karp abstained.**
- **Commissioner Adelberg moved to accept the ARC recommendation of no objection insofar as the proposed project is not expected to affect the Harbor Management Area.**
- **Commissioner Pensiero seconded the motion.**
- **Unanimously approved.**

Referral of CSPR 1171 – 2187 Atlantic Street LLC – 21187 Atlantic Street, Stamford, CT.

- **Commissioner Karp abstained.**
- **Commissioner Adelberg moved to accept the ARC recommendation of consistency with the HMP insofar as the project is expected to result in a significant improvement in existing stormwater and water quality conditions on the site.**
- **Commissioner Pensiero seconded the motion.**
- **Unanimously approved.**

Application 223-30 – City of Stamford – Zoning Board, 888 Washington Blvd., Stamford, CT, - Text Change.

- **Commissioner Karp abstained.**
- **Commissioner Adelberg moved to accept the ARC recommendation of no objection insofar as the proposed text change is not expected to affect the Harbor Management Area in any significant way.**
- **Commissioner Pensiero seconded the motion.**
- **Unanimously approved.**

Application 223-31 – City of Stamford – Zoning Board, 888 Washington Blvd., Stamford, CT, - Text Change.

- **Commissioner Karp abstained.**
- **Commissioner Adelberg moved to accept the ARC recommendation of consistency with the HMP provided the proposed new regulations do not diminish existing water-dependent uses and opportunities for future water-dependent uses on suitable sites and do not replace existing requirements for provision of water-dependent uses. The HMC will provide a clarifying statement of conditions to support the finding of consistency.**
- **Commissioner Pensiero seconded the motion.**
- **Unanimously approved.**

CT DEEP – LWRD License Application Form D COP – John M. Ciuffo, Recreational Dock Modification at 76 Sea Beach Drive, Stamford, CT.

- **Commissioner Karp abstained.**
- **Commissioner Pensiero moved to accept the ARC recommendation of no objection provided the applicant amends the project plans to show the extension of the applicant's littoral property boundary in the vicinity of the existing and proposed docks and the distances between that boundary and the existing and proposed docks.**
- **Commissioner Adelberg seconded the motion.**
- **Unanimously approved.**

Referral of CSPR 1172 – Michael Orgera c/o Stamford Troy Softball Inc. 1125 Cove Road, Stamford, CT.

- **Commissioner Karp abstained.**
- **Commissioner Adelberg moved to accept the ARC recommendation of no objection insofar as the proposed project is not expected to affect the Harbor Management Area in any significant way.**

- **Commissioner Pensiero seconded the motion.**
- **Unanimously approved.**

**Safety Committee:** No meeting.

**Marina Committee:**

- Commissioner Hollander discussed Marina Committee Report.

#### **4) Staff Reports**

**Financial Review:**

- Frank Baldassare reported on the Monthly Finance Report.

**Harbor Master Report:**

- Deputy Harbor Master Fumega reported on the Harbor.

**Marina Supervisor:**

- Frank Baldassare reported on continuing to repair the finger docks and plumbing repairs. As well as needing to replace two buoys.
- **Commissioner Adelberg moved to support purchasing the buoys and expenditure limit to \$2,500.**
- **Commissioner Pensiero seconded the motion.**
- **Unanimously approved.**

#### **5) Old Business**

- a) Harbor User Fees discussed under Marina Committee.
- b) Discussion on the Robert Strada Memorial bench.
- c) Discussion on the Boat Ramp Feasibility study. Mr. Hollander and Mr. Steadman reported on their recent meeting with Erin McKenna of the Land-Use Bureau to discuss initiation of phase 1 of the study as funded through a \$20,000 grant from the CT Port Authority. Ms. McKenna informed them that procurement of professional services up to \$25,000 does not require competitive bidding or quotes. RACE Coastal Engineering was identified as a firm that has done previous work for the city and as qualified to assist the SHMC with the feasibility study.
- d) Consultant Steadman updated the commissioners on discussions with DEEP regarding proposed amendments to the CT Harbor Management Act to address negative impacts of Cohen vs. DEEP Court case and negative effects of Court decision on harbor management authorities. Proposed amendments were not enacted during this year's legislative session due to opposition from DEEP. A meeting with DEEP representatives, Stamford State Representative Michel, and harbor management representatives was held for the purpose of discussing the harbor management commissions' concerns. DEEP and harbor management representatives disagree on the effect of the Court decision and must reach agreement before additional meetings will be productive. DEEP has not responded to recent inquiries.

- e) Consultant Steadman updated the commissioners regarding his recent inquiries on behalf of the SHMC to the Land-Use Bureau regarding observed earth-moving activities on the 14-acre Boatyard parcel. He asked Land-Use if the observed filling and grading of the site requires a Flood Hazard Area Permit and Coastal Site Plan Review pursuant to the Flood Prone Area zoning regulations. He was told by Land-Use that the ongoing work is related to restoring the boat slips as required by CSPR 219-15; that the large area of filled and elevated land now visible is related to remediation of the soil and the previously completed bulkhead approved by DEEP; and that the owner has recently seeded the elevated area to improve the appearance. Commissioners remarked that filling and grading has occurred after DEEP informed the SHMC that the remediation work was completed. It was agreed to ask Bill Buckley, Owner's Engineer, to next month's meeting to discuss this matter further.

#### **6) New Business:**

Further discussion on the Boat Ramp Feasibility study – RACE Coastal Engineering.

- **Commissioner Hollander made a motion to proceed to develop an agreement with RACE to provide professional engineering assistance to the SHMC for work on the feasibility study based on the scope of work included in the grant application.**
- **Commissioner Adelberg seconded the motion.**
- **Unanimously approved.**

#### **7) Public Participation:**

- Meaghan Miles, Carmody Torrance Sandak & Hennessey LLP, discussed the Zoning Boards Referral CSPR 1169 Revisions. Chairman Ortelli stated it has not been reviewed and that the SHMC-ARC will be meeting on 8/07/23.

**8) Next Scheduled Meeting:** August 15, 2023, at 6:30 p.m.

#### **9) Adjournment**

- **Commissioner Adelberg made a motion to adjourn at 7:51 p.m.**
- **Commissioner Pensiero seconded the motion.**
- **Unanimously approved.**