

**CITY OF NORWALK
SPECIAL JOINT MEETING
DISCUSSION OF PLANNING AND ZONING DEPARTMENT'S
"INDUSTRIAL WATERFRONT LAND USE PLAN"
OCTOBER 6, 2021**

ATTENDANCE: **Harbor Commission:** John Romano, Chair; Matt Gifford, Laurie Jones, Alan Kibbe, Dr. John Pinto, Dennis Santella

Water Quality: Joe Schnierlein, Chair; Dick Harris, Diane Lauricella, Geoff Steadman, Louise Washer

Shellfish Commission: Steve Bartush

OTHERS: Mayor Harry Rilling; Michelle Andrzejewski, Planning and Zoning; Laura Kenny, Planning and Zoning; Steve Kleppin, Planning and Zoning; Tim Love, Utile Principal, Zoe Moore, Utile; William Mooney, Health Department

I. CALL TO ORDER/PLEDGE OF ALLEGIANCE

Mr. Romano called the meeting to order at 6:04 p.m. and requested Mr. Schnierlein to lead the Pledge of Allegiance.

II. ROLL CALL/INTRODUCTIONS

Mr. Romano thanked everyone for joining the meeting. He asked the non-Commission Members to identify themselves for the record.

**III. REVIEW OF PROJECT GOALS, SCOPE OF WORK,
AND CURRENT SCHEDULE.**
(Planning and Zoning Department and P&Z Consultant)

Mr. Romano explained that there had been a number of studies that had been done and it can be very confusing as to what has been studied and what has not. Utile had just completed an Industrial Zone Study and that study is not part of the Marine Commercial Zone. Mr. Romano said that there had been a TOD plan that had been completed and this was followed by the Industrial Zone Study. He noted that Bullet Point 4 in the Industrial Zone focused on the Waterfront Plan. Mr. Romano said that it appeared to have overlap with the Marine Commercial Zone. He reminded everyone that the Harbor Commission is charged with overseeing the use of the waterfront up to 1,000 feet landward.

Mr. Kleppin said that the waterfront component had been removed from the larger study because they felt that it was too comprehensive to include in the main study.

Mr. Love, a Utile principal, said that focus of the study was land use and zoning. There needs to be consistency between the work that the Commission is doing and the zoning. The point of the plan is not to change the use of the waterfront, but to assess the use of the waterfront.

Ms. Mueller then narrated a PowerPoint presentation which included a summary of the Norwalk Industrial Zone Study.

The Industrial Zone use was to clarify which parcels were already zoned as industrial and helping people identify them. This includes four zone classifications: High Industrial; Mixed Use, Heavy Industry; Mixed Use Light Industrial and Residential.

Mr. Love noted that the mix of land uses around the waterfront in Norwalk is quite remarkable. Ms. Mueller said that they want to work with the City to help them understand the complexities and develop a balanced vision, including guiding policy changes. She said that the consultants don't come in with an agenda. However, they are looking at potential economic development strategies. The environmental component of the plan were also considered, including high risk or sensitive areas, dredging risk, capital projects, and incorporating this into Zoning standards.

Ms. Mueller then displayed a map showing the study area parcels. They will also be studying existing zoning. She also displayed a timeline, which was launched in August when the team visited Norwalk to see the area. Now they are in the due diligence period and reaching out to stake holders. Following this, they will move into various scenarios. Once a preferred scenario is identified, the Utile team will start working on a draft plan and documentation.

IV. REVIEW OF HARBOR MANAGEMENT AUTHORITIES, PROGRAMS, AND CONDITION OF NORWALK HARBOR.

(Harbor Management Commission, Shellfish Commission, Water Quality Committee)

Mr. Romano said that the Harbor Commission are the wardens of the public interest. Dr. Pinto and Mr. Steadman then presented an overview program of Norwalk Harbor area.

Mr. Steadman said that Norwalk Harbor was regarded by the Commission as the Jewel of Long Island Sound. He went onto narrate a PowerPoint presentation about the Harbor, including the outer harbor, the inner harbor, upper harbor areas and the Norwalk River Watershed.

A slide showing aerial views of the Norwalk Harbor in 1934 and in 2018 was displayed. Mr. Steadman reminded everyone that there were Federal Navigation channels located in the area

and how the boundaries were modified twice by Congress. These modifications were done to benefit the public interest. There are numerous water dependent uses including recreational boating. However using the land for boat storage is not the most efficient use. Commercial shell fishing is also a key component in the Harbor. Mr. Steadman spoke about the fact that the David S. Dunavan Boating Center on the east bank of the Harbor is the principal point of contact and the public landing and access as require by federal law.

Mr. Steadman displayed a slide showing the Norwalk Islands that are considered part of the waterfront. He also spoke about the tourism and coastal management boundaries.

Mr. Steadman explained that the Harbor Management Plan was one of the first management plans in the State and focused on increasing municipal authority instead of State authority. He spoke about how the East Basin area had ended up with a violation of the Federal Navigation Channels. It was a result of those ensuing lawsuit by the Federal Government against the local land owners that the Harbor Commission was created.

Mr. Steadman then outlined the Harbor Management Goals and Policies, which includes public health and safety, water dependent uses and a host of other items. The goals are to increase home rule, set the City's long range vision and increase coordination between various groups. The Harbor Commission works in coordination with the Shellfish Commission and Water Quality Advisory Committee. The Harbor Commission also reviews applications for changes along the shoreline, mooring administration and assisting the Shellfish Commission in protecting the shellfish beds. The Water Quality Committee works on storm water management. Public safety is handled by the Police Department and Fire Department.

Future funding for dredging for navigation will be coming from the State of Connecticut, rather than Congress, as it has in the past. The priorities in 2021 is to reduce adverse impacts of the Walk Bridge project and avoiding the adverse impact of the Eversource power line relocation and working on the redirection of the run off from the Interstate 95 Yankee Doodle Bridge.

Mr. Love asked about the statutory authority that the Commission has. Mr. Steadman said that the authority was a key question. He explained that when the area under the 95 bridge was dredged, the material was substantially contaminated and required the City to pay more to dispose of the material. When the State's plans to restore the bridge were presented, the Harbor Commission worked with the DOT to resolve the issue of polluted roadway run off. Discussion followed about the roles of the Commission plays in facilitating change.

Mr. Steadman asked if the economic factors would be considered during the redevelopment study. Mr. Love said that they will consider the economic when they are creating scenarios. He said that "the highest and best use" of a parcel may not be the appropriate choice for the harbor.

They do have a team member to help guide them in researching these regional issues such as the location of contractor yards and other niche businesses that are unique to the area.

Mr. Schnierlein asked if there was anyone who would be dealing with climate change and flood waters. The area is designated a FEMA Flood zone. Mr. Love said that they have expertise in this area. Mr. Schnierlein said that he believed that it was not a good practice to develop in a flood plain or zone. Ms. Mueller agreed. Mr. Love said that they had used a number of tools to help with a number of communities in Massachusetts and there were responsible ways to build in a flood plain. Mr. Schnierlein said that it wasn't just a question of water, but reminded everyone that there were 30 foot vessels that were deposited on Water Street after Tropical Storm Sandy and there were docks that came loose from their mooring and were left on land. Ms. Mueller said that these were common concerns.

Ms. Lauricella said that this was important for the Harbor. She suggested that they consider the economics of both the east and west side of the harbor. There are former industrial sites that had contamination that has been capped on both shorelines. Some of these sites will require more money to remediate:

- On the West side,
 - Yankee Gas processing plant; the coal tar site,
 - Devine Brothers,
 - King Industries,
 - Oyster Shell Park landfills that could leach and
 - the old Petco oil storage tanks.
- On the East Side,
 - the Head of the Harbor has been cleaned up for housing,
 - the O&G site has spent asphalt on the site.
 - 23 Platt Street industrial site; and
 - the former dump which is now Veteran's Park.

V. REVIEW OF WATERFRONT LAND USE PLAN STUDY AREA DISCUSSION. **(HMC, SC, WQC, P&Z Department, and P&Z Consultant)**

Mr. Steadman then narrated a PowerPoint presentation about the Upper Harbor and what that area entails. He gave a brief summary of the railroad bridge train accident, which resulted in the train engine and many passenger cars plunging into the Norwalk River. He noted that King Industries has been a good steward of the Harbor.

Ms.. Mueller asked how often the Federal channel has to be dredged. Dr. Pinto said that it was about every 20 years. He explained that there were two large CAD cells located in the river bed containing the contaminated dredge materials.

Mr. Love asked what the effect of the downstream contaminants on the harbor. Dr. Pinto said that all the run off ends up in the harbor. Mr. Steadman said that there was an estimated 146,000 vehicles that pass over the Yankee Doodle Bridge. The State is now in the process of installing a filtration system for that run off. Discussion followed about non-water dependent use development.

Ms. Lauricella said that she was a past president of the Norwalk Watershed Association and Ms. Washer, who was the current president, was on the call. Ms. Lauricella listed a number of pollutants such as impervious surfaces, oil, sediments, and pesticides. She would like to see green infrastructure as part of the standards. This would include items such as green roofs, rain gardens and permeable pavers.

The discussion moved to the Marine Commercial Development area. Mr. Steadman said that the marine commercial development area is critical and it should not be developed into residential uses. He added the DEEP has expressed concerns about residential housing being placed in flood areas.

Ms. Mueller said that when they are putting together the studies, it is often hard to locate good photos of the study area. She said that Mr. Steadman's photos were excellent. Mr. Steadman said that they could talk about the use of the photos.

Mr. Steadman said that the shellfish environment requires shallow and intertidal water to flourish. The shallow water supports the larger eco-system. Mr. Schnierlein said that the shape of Veteran's Park affects the shape of the mud flat. Mr. Steadman said that it was an Act of the Legislature establishing Veteran's Park on the site. He noted that the City was pursuing a program to rebuild the East Basin marina, which is not part of the study area.

Mr. Romano said that he would like to know who the consultants had contacted. Ms. Mueller said that they had small group meetings and there were attendees from King Industries and small business owners about their concerns. Mr. Romano said that there were numerous water dependent uses, such as boat repairs, dock removal groups, and those who remove and clean tackle. Ms. Kenny said that they have interviewed numerous business owners on Water Street. She said that if Mr. Romano had a list of businesses that they should contact, she would contact the businesses. They have also contacted a number of yacht clubs and boat clubs.

Mr. Romano said that at the end of the day, the Commission wants the right thing to be done. When the other towns dissolve their uses, it brings more business to Norwalk. The high rises

along the waterfront just creates more density. People marvel at the variety of water dependent uses that Norwalk has.

Mr. Steadman said when they see the proposals that are presented, the Commission can respond in a formal way. Mr. Love said that this was the research and fact finding phase of the project. Then the Commission will be presented with a number of scenarios for their feedback.

Mr. Steadman asked what extent that the POCD would have on the Marine Commercial Zone. Mr. Love said that Mr. Kleppin or Ms. Kenny. Ms. Kenny said that the goal of the study was to take a deeper dive into this aspect of the POCD. Discussion followed development in a flood plain.

VI. PUBLIC COMMENTS

There was no one from the public present to address the Commission at this time.

VII. NEXT STEPS

Ms. Andrzejewski said that the Steering committee has a member from Shellfish Committee but they were interested in having someone from the Harbor Commission on the Steering Committee. Ms. Mueller said that they were hoping to have their first meeting in November.

VIII. ADJOURNMENT

Mr. Romano announced that the meeting was adjourned at 8:16 p.m.

Respectfully submitted

S. L. Soltes
Telesco Secretarial Services.