

Shellfish Commission
City of Norwalk
Regular Meeting Minutes
July 6, 2023

ATTENDANCE: Steve Bartush, Chairperson; Pete Johnson, Jordan Saxe

OTHER: Joseph Schnierlein, Water Quality Advisory Chair; Alan Kibbe, Harbor Management Chair; Geoff Steadman, Harbor Commission Consultant, Joe Pinto, Sargent Bisceglie. William Mooney, Staff

1. CALL TO ORDER

Mr. Bartush called the meeting to order at 7:19 pm. Mr. Mooney acknowledged attendees. A quorum was present.

2. APPROVAL OF MINUTES

Approval was delayed till next meeting.

*Amend May 4, 2023 Regular Meeting Minutes Treasurer's Report to reflect \$3,000.00 allocated to Harbor Management Commission for the Summer Intern Program vs. Insurance.

3. NEW BUSINESS

- Mr. Mooney will reach out to Mr. DeBartolomeo regarding application.
- Mr. Bartush asked Mr. Pinto & Mr. Kibbe for an update on the separation of the Harbor Management Commission ARC and the Regular Harbor Management Commission. Mr. Kibbe noted that he has been trying to obtain additional information, the application is under review and all are welcome to attend the meeting. It is a public meeting.

4. PUBLIC COMMENT

No public comment

5. TREASURER'S REPORT

Mr. Mooney provided ending balance as of June 30th is \$27,213.17

6. SECRETARY'S REPORT

No Secretary Report

7. COMMITTEE REPORTS

- Health Department: Mr. Mooney presented the information. For the month of June, rainfall was 1.79 inches. Last year at this time, it was 4.26 inches. Historically, the average is 4.15 inches indicating less rain than normal. There were no closures and no bypasses.
- Wastewater Treatment Plant: Spokesperson not present. No Report. Mr. Schneirlein noted that an invitation had been extended to DPW on multiple times to have a spokesperson attend a Water Commission meeting. The department indicated that they would not send someone to participate in our meetings, however, we are welcome to attend their meeting.
- Water Quality: Mr. Schneirlein noted, Mr. Harris will continue to monitor PFAS. He is in the process testing with two different tests. He wanted to see if there is a correlation between the data and if they are similar. Norm Bloom is absorbing the cost; therefore, they would prefer to go with the least expensive testing method. Mr. Schneirlein discussed proposed Planning & Zoning changes to Water Street. He noted, the Water Commission Committee is opposed to the zone change that includes multiple family housing on Water Street. Water Street is in a Flood Zone. We should not put residents in the position of having to travel Water Street when it is flooded.
- Permits: Chairman Bartush requested Mr. Mooney to inquire at Fisherman's World how many permits were given and provide a year-to-date total. Chairman also requested the new fishing permit include an email address, resident or non-resident, to start building a database.
- Police: Sargent Bisceglia noted shellfish is closed due to fireworks for no more than 2 days.
- Advisory: The water temperature was 74 today. It was 78 the night of the fireworks.
- Harbor Management: Mr. Kibbe noted that additional funds are coming in due to efforts of the Harbor Master collecting on abandoned moorings. He noted that they are overwhelmed with inquiries on moorings near Fish Point for \$40 a night. Inquiries only, it is a shallow harbor. Moorings near Sheffield Island also receiving numerous inquiries. All the moorings have been located from Peach Island to Gregory Point. Due to the Walk Bridge construction, a suggestion to DOT that the contractor doing the barge mooring installation work, receive additional money to relocate the harbor and recreational warnings that may need to be moved. He noted a discussion took place with DOT regarding security/manpower at the Walk Bridge site to ensure safety to boats, rowers, docks, as Eversource applied to permit underwater cables.

Mr. Steadman noted there is a significant matter regarding the Proposed Re-zoning Planning & Zoning as it relates to the Waterfront. Mr. Steadman discussed the prior legislative history of water development on Water Street. Mr. Steadman discussed the on-going zoning proposal as it relates to the waterfront, the Connecticut Coastal Management Act, and the Norwalk's Municipal Coastal Program. He noted he has been involved in the past 40 years and provided history on when the Acts were implemented. The development of Norwalk's Municipal Coastal Program began in 1981, being initiated and completed by the city's Planning and Zoning commission and Staff under the authority of the Connecticut Coastal Management Act. The Planning & Zoning commission adopted the amendments to the Plan of Conservation and Development Act in 1982. In 1988, The Marine Commercial District zone was created to protect the water dependent uses along water street. Mr. Steadman said it's appropriate and respectful to recognize what the people did who worked long and hard before us to protect the development along the waterfront. History is repeating itself. The proposed new zoning changes would eliminate half of the Marine District into an Urban Mixed-Use District that would include additional density for residential development. He noted this area is identified as vulnerable to floods and requires resilience planning. In addition, D.E.E.P.'s responses to other towns have been, increased residential density in a coastal flood plain are inconsistent with the Coastal Management Act and shouldn't be approved.

**** MR. JOHNSON MOVED TO ACCEPT THE COMMITTEE REPORTS AS PRESENTED.**

**** MR. JORDAN HAD TECHNICAL DIFFICULTIES, THEREFORE NO SECOND**

8. OLD BUSINESS

- Walk Bridge/Eversource: Chairperson Bartush noted the The Harbor Management Commission also tabled the Eversource LWRD License Application pending the comments from Eversource. Mr. Bartush summarized the comments "In his 50 years of experience, he saw no precedent for going under such a public facility. "Secondly, casings for future construction would be difficult to find". Mr. Bartush discussed the exclusion zone is very large, 50 ft from the left cable and 50 ft from the right. He noted that the Harbor Management moved to include stipulations to the Eversource permit. He asked if the commission would like to move in that direction and read them for the record.
 - Eversource should provide additional information concerning the extent and restrictions of the exclusion zone such that Eversource would establish around the proposed relocation route. The commission has no objection to inclusion of the Eversource preservation plans in an application submitted to D.E.E.P and reserves the right to continue to review the relocation proposal and reserves the right to continue to review the relocation proposal and provide additional

comments at such time as it may be modified. Additional information provided or the proposal is subject of public notice or hearing. In addition the commission recommends, a D.E.E.P permit condition specifying that any future actions by the City of Norwalk to maintain, repair, replace or improve the affected public facilities will not be limited in any significant way by the relocated transmission lines and that should there be any added cost or delay associated with such city actions as a result of the relocated transmission lines, Eversource or its successor shall be required to assume the added cost and otherwise compensate the city.

****MR. JOHNSON MOVED TO INCLUDE THE STIPULATIONS TO THE PROPOSED EVERSOURCE APPLICATION.**

****MR. SAXE SECONDED THE MOTION**

**** THE MOTION PASSED UNANIMOUSLY**

- Eversource Continued: Mr. Bartush requested in communications to D.E.E.P what the allowed use for the \$10,000 compensation for the movement of the lines from the police department down Elizabeth Street and across Water Street to the HDD pit be used for. Mr. Johnson noted it should go towards the Shell fishing industry. Mr. Bartush discussed Connecticut Harvest of Oysters, is about \$32,000,000 a year with Norwalk around 50% at \$16,000,000. Due to the potential impact, he would like to propose a bond of \$8,000,000. Mr. Johnson noted that 80% of all Oysters come into Norwalk, and we should be able to protect it. Mr. Steadman noted that this should be addressed with the Harbor Master.

****MR. JOHNSON MOVED TO INCLUDE AN \$8,000,000 BOND AS PART OF THE PERMIT CONDITIONS FOR MOORING BARGES FOR THE WALK BRIDGE CONSTRUCTION THROUGH THE HARBOR MASTER.**

****MR. SAXE SECONDED THE MOTION**

****THE MOTION PASSED UNANIMOUSLY**

- Eversource Continued: Mr. Bartush & Mr. Kibbe noted that the drawings from Eversource are flawed. The application doesn't reflect what they actually want to do. Mr. Pinto confirmed several iterations were proposed. It is unknown what the Citing Council approved. Mr. Bartush thanked Mr. Mooney for his diligence in asking an Eversource Representative, to attend one of our meetings. Although we were rebuffed, it would be nice to have them attend.
- Mr. Mooney requested to re-visit business back in May. The commission approved \$3,000 allocated to the Harbor Management for the summer intern program. The minutes reflected this amount as 'insurance', therefore he has been unable to transfer the money.

**** MR. JOHNSON MOVED TO CORRECT THE \$3,000 ALLOCATION TO THE HARBOR
MANAGEMENT COMMISSION FOR THE SUMMER INTERN PROGRAM.**

****MR. SAXE SECONDED THE MOTION**

****MOTION PASSED UNANIMOUSLY**

H. NEXT MEETING AUGUST 3, 2023

I. ADJOURNMENT

****MR. JOHNSON MOVED TO ADJOURN**

****MR. SAXE SECONDED**

****THE MOTION PASSED UNANIMOUSLY**

The meeting was adjourned at 8:16 pm.

Respectfully Submitted,

Michele Watson
Telesco Secretarial Services