

**CITY OF NORWALK
NORWALK HARBOR MANAGEMENT COMMISSION & SHELLFISH COMMISSION
SPECIAL MEETING
MARCH 22, 2023**

ATTENDANCE: Harbor: Alan Kibbe, Chairman; Laurie Jones; Chris MacDonnell; Jeff Mangels; Dr. John Pinto; Mike Matthews

Shellfish: Steve Bartush, Chairman; Pete Johnson

STAFF: Amelia Williams

OTHER: Tim DeBartolomeo; William Mooney; Geoffrey Steadman, Consultant; Joseph Schnierlein, Water Quality Chair; Jessica Vonashek; Justin Bisceglie; Bruce Lovallo; Darin Callahan; John Crespo; Lynelle Jones

CALL TO ORDER/PLEDGE

Chairman Kibbe called the meeting to order at 6:03 P.M. There was a quorum present.

ROLL CALL

A Roll Call of those present was performed.

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 reviewed the history of the project for those present. They are still in the comment period for Siting Council. They have extended their deadline until April 3rd. Mr. Steadman provided further review and said it had been ongoing for seven years. He noted that there had been challenges in court but the court had not taken the case due to a lack of standing. He provided images for those present. They desire to remove the transmission cables from their current overhead configuration and run them underground across the harbor. He reviewed prior proposals for how this would be accomplished. They were not able to get permission to go through the property of 68 Water Street. Further review of the history of the project followed.

Mr. Steadman said that they had been checking in with D.E.E.P. regularly regarding the project and not heard anything and it was only by checking the website of the Siting Council that plans had been submitted to the Siting Council. The comment period had been extended allowing them to provide their own comments to the Siting Council on the project. He reviewed the interest that the Commission had on commenting on this item. He noted that it wasn't required for there to be a Public Hearing, even though the Siting Council would hold one if there was interest to do so.

Mr. Steadman also brought up that there would be an impact on the City's ability to maintain, repair, replace, and do work on the visitors dock and boat launching ramp. The Corps of Engineers needs to issue an approval for the project as well. He reviewed some of their standards for the approval. He also reviewed the goals of the Siting Council. He noted that, usually, people get the approval of the Siting Council first followed by applying to D.E.E.P. for permits.

Mr. Johnson recounted his own history with the project. He felt that the changing plans were a distraction. Further discussion followed. Mr. MacDonnell said that the City had entered into agreements with Eversource to allow them work agreements. One is a temporary work area management agreement and one that specifically gives them the right to go on the route that was displayed in the images. The City Council has signed off on this and the Mayor has entered into an agreement with Eversource. He reviewed the implications of this. Mr. Matthews noted that he needed to abstain from discussion and voting on this item.

Mr. Matthews recused himself at 6:25 P.M.

Mr. Steadman recounted the various times that they had written to the mayor about this item and making it clear that the Harbor Commission had certain specific authorities under the general statutes and City Code to review these proposals and make recommendations. Further discussion followed. Mr. Johnson said they should send a letter to the Siting Council telling them that Eversource should be liable for anything they do with the docks. Mr. Johnson suggested that they write a letter saying that the proposal that they gave is jeopardizing them doing any work on their ramps and docks and that Eversource should be liable and pay for any movement or anything similar due to their choice to use this route instead of using one on the opposite side of the bridge. Further discussion followed.

Chairman Kibbe asked if there were any local entities that were formal parties to the Siting Council Event. Mr. Pinto said that he did not think there was anyone from the Norwalk area represented on the Siting Council. Further discussion followed including questions about liability. Concerns were raised over possible bribery having been used in the approval process. Ms. Jones suggested that they have something in writing to express their objections for the record.

Mr. Steadman suggested that they add in to the conditions of approval that, if there's added expense, that Eversource shall provide compensation or pay for the added expense. Additionally, that an informational hearing, similar to the one held for the wastewater treatment plant, be held so the public can be informed. Finally, to ask the Siting Council, for the public record and posterity, explain why they decided to approve of this process.

**** MR. BARTUSH MOVED TO ADD THE FOLLOWING CONDITIONS OF APPROVAL:**

- **THAT THERE WILL BE A REQUEST FOR A PUBLIC HEARING SUCH AS THIS INFORMATION COULD BE MORE PUBLICLY DISSEMINATED.**
- **THAT THE PUBLIC RECORD WILL REFLECT THE DESIRE OF THESE COMMISSIONS WITH RESPECT TO THE THIRD POINT.**
- **THAT THE SITING COUNCIL'S STATEMENT OF APPROVAL WOULD INDICATE THAT EVERSOURCE OR ITS SUCCESSOR WOULD PAY FOR ANY ADJUSTMENTS, MAINTENANCE, REPAIRS, OR REPLACEMENTS IN AND AROUND THE DONOVAN BOATING CENTER.**

**** MR. MANGELS SECONDED THE MOTION.**

Mr. MacDonnell provided the agreement with Eversource for review. A review of the agreement followed.

**** THE MOTION PASSED WITH SIX (6) IN FAVOR (PINTO, KIBBE, JONES, MANGLES, BARTUSH, JOHNSON) AND ONE (1) ABSTENTION (MACDONNELL)**

**** MR. MANGELS MOVED TO ADJOURN.**

**** MS. JONES SECONDED THE MOTION.**

**** THE MOTION PASSED UNANIMOUSLY.**

Chairman Kibbe adjourned the meeting at 6:56 P.M.

Respectfully submitted,

Ian Soltes
Telesco Secretarial Services