

Stamford Harbor Management Commission - Applications Review Committee Minutes Draft

Date: August 24, 2015
Time: 6:00 p.m.
Location: Stamford Government Center
888 Washington Blvd.
Stamford, CT 06901
Operations New Conference Room 10th Floor

Roll Call: In Attendance were: Committee Chairman Griffith Trow; Committee members Commissioners Robert Karp, Paul Adelberg, and Mike Pensiero, and Commission Chairman Damian Ortelli, and Commissioner Steve Loeb; Consultant Geoff Steadman and OSS Maria Vazquez-Goncalves.

The meeting was called to order by Commissioner Trow at 6:05 p.m.

1. Review and Approval of June 22, 2015 Meeting Minutes. (Correction on the agenda.)

**Adelberg moved to approve June 22, 2015 Meeting Minutes.
Seconded by Karp Unanimously Approved**

2. Discussion on Robert Dettmer, 52 Sea Beach Drive proposal to enclose an 85 s.f. portion of an existing covered porch in front of a residence at 52 Sea Beach Drive.

Commissioner Karp discloses he is a patient of Dr. Dettmer, and believes he is impartial and can review, discuss and vote on this application. Consultant Steadman recommended sending a letter to the Land Use Bureau that the proposed activity does not appear to impact the Harbor Management Area. Include, applicant should be required to employ Best Management Practices to ensure the work is not causing adverse environment impacts on environmental quality in the Harbor Management Area.

**Trow moved to find the proposal consistent with the HMP provided the applicant provides all appropriate Best Management Practices during construction to avoid any significant adverse impacts. The Committee authorized Consultant Steadman to draft a letter per discussion.
Seconded by Karp Unanimously Approved**

3. Discussion on In2blue Design, 25 Lighthouse Way proposal to construct an in-ground swimming pool and pool equipment with site improvements at a residence at 25 Lighthouse Way.

Consultant Steadman made a recommendation similar to the previous application. Committee Chairman Trow agreed.

**Trow moved to find the proposal consistent with the HMP provided the applicant provides all appropriate Best Management Practices during construction to avoid any significant adverse impacts. The Committee authorized Consultant Steadman to draft a letter per discussion.
Seconded by Karp Unanimously Approved**

4. Discussion on Application for Certificate of Permission to retain and maintain seawall modifications and gangway structure for 144 Davenport Drive by Dr. Robert Friedman.

Committee Chairman Trow commented seawall has been repaired and modified. Consultant Steadman commented the wall was raised by 18 inches without permission. This was done after Storm Sandy. (They will be paying a \$1,500 - \$2,000 fine.) Consultant Steadman commented on similar previous applications. The Committee found the proposal consistent with the HMP provided Applicant demonstrates to satisfaction of

Office of Long Island Sound programs that the 18 inch increase in the structures height has no significant adverse impacts on the other properties. Also, transmit comments: 1) It is a Policy of HMP any unpermitted work water ward of the high tide line in the Harbor Management Area area shall be considered an unauthorized encroachment to be eliminated or otherwise corrected in accordance with all applicable laws and regulations. (The HMP discourages after the fact authorizations for encroachments determined to occur after the March 2009 effective date of the HMP unless there are compelling clearly demonstrated reasons for doing so. The HMC understands that the Applicant's unauthorized construction occurred after Hurricane Sandy damaged the structure in 2012.) 2) It is also a policy of the HMP that penalties assessed by DEEP for unauthorized work in the Harbor Management Area should be used to fund beneficial projects in the area, including supplemental environmental projects for environmental enhancement and other improvements for the public. 3) The HMC was not notified by the DEEP about the violation of state environmental law that took place on this property. The Commission requests that in the future copies of all notices of violations concerning unpermitted work effecting properties adjoining the Harbor Management Area be provided to the HMC. Commission should request that in the future when DEEP considers opportunities for supplemental environmental projects, penalties assessed with respect to the Harbor Management Area consideration should be given to recommendations provided by HMC. Letter to be sent to Mr. Zavoy and Mr. Thompson

Trow moved to find the applicant consistent with the HMP subject to conditions that have been discussed. The Committee authorized Consultant Steadman to draft a letter per discussion. Seconded by Pensiero Unanimously Approved

5. Continued discussion on Committee protocols and procedures.

Consultant Steadman explained he has done a second draft of the flow chart and will circulate same among Committee members.

6. The next scheduled Committee meeting on September 8, 2015 at 6 :00 p.m. has been cancelled and rescheduled prior to the SHMC scheduled meeting on Tuesday September 15, 2015 at 6:00 p.m.

Commissioner Adelberg made a motion to adjourn at 6:43 p.m. Seconded by Karp Unanimously Approved

Respectfully Submitted by
Maria Vazquez-Goncalves
August 31, 2015