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MICHAEL PENSIERO, ALTERNATE

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

**Minutes of May 9, 2016**

**DRAFT**

A regularly scheduled meeting was held on Monday, May 09, 2016 at the Stamford Government Center – Senior Center, Auditorium Room, 2<sup>nd</sup> Floor.

Called to order at 6:42 p.m., Chairman Ortelli presiding.

**In Attendance:**

**Commissioners:** Dr. Damian Ortelli; Paul Adelberg; Robert Karp; Ray Redniss; Robert J. Strada; Griffith Trow; Commissioner Alternate Steven Loeb and Michael Pensiero

**Staff:** Sgt. Bob Monck, Stamford Police Dept.; Geoff Steadman, Consultant; Frank Fedeli, COS; and Maria Vazquez-Goncalves, Administrative Support

**Absent:** Commissioner Jeffrey Saunders; Eric Knott, Harbor Master; Yale Greenman, Deputy Harbor Master; and Sean Elumba, Marina Supervisor

**1) Review and Approval of April 19, 2016 Meeting Minutes. Meeting date corrected at header.**

**Commissioner Adelberg moved to approve as corrected.**

**Seconded by Commissioner Pensiero**

**Approved Unanimously**

**2) Chairman's Report: D. Ortelli. None**

**3) Committee Reports:**

**Safety – R. Strada. No Meeting. No Report.**

**Applications Review – G. Trow.** Meeting was held on Monday, May 09, 2016. Commissioner Trow brought forward the following applications:

- **Application 216-13, Richard Redniss, consultant for Stamford Yacht Club, Text Change proposal to amend definition (27) Country Club or Golf Club: Beach Clubs or Yacht Clubs.** The Stamford Yacht Club is the only entity that would be affected by this change. Consultant Steadman noted it is the policy of the HM Plan to encourage and support continued operations of water dependent uses and to enhance access to the waterfront when and where possible. The proposed activity is not specifically addressed in the HM Plan. The committee found in favor of the application.

Commissioners Steve Loeb, Ray Redniss, and Bob Karp, all members of the Stamford Yacht Club, recused themselves. Alternate Mike Pensiero is voting.

**Commissioner Adelberg moved to accept the committee's recommendation.**

**Seconded by Commissioner Trow**

**Approved Unanimously**

- **Application 216-12, Richard Redniss, consultant for Thomas Gallagher Funeral Home, Text Change proposal to add "Funeral Parlor" to the permitted as-of-right uses in the M-G Industrial Zone.** HMC Consultant Steadman commented that the proposed activity is not addressed in the HMP and proposes a no comment finding and the committee so recommends.

Commissioner Redniss recused himself.

**Commissioner Adelberg moved to accept the committee's recommendation with a finding of no comment.  
Seconded by Commissioner Trow                      Approved Unanimously**

Upon re-referral from the Zoning Board, the Commission proceeded to review, comment and vote on a package of 7 modified applications submitted by Harbor Point Developer BLT regarding proposals for replacing the 14-acre former Yacht Haven West Boatyard facility. Commissioner Redness recused himself and left the room for the duration of the meeting.

Attorney Amy Souchuns, representing the applicant, reiterated applicant's position that Commissioners Ortelli, Karp, Loeb, Strada, and Pensiero have conflicts of interest and should recuse themselves. Each commissioner declined stating they do not have a conflict.

Procedurally, the Commission took up each application individually. Commission Secretary Karp first read into the record Commission findings as expressed in 7 separate letters (see attachment) sent October 26, 2015 to ZB Chairman Tom Mills. After reciting each letter, John Freeman presented the applicant's revisions as he felt they pertained to the Commission's previous findings and responded to remarks and questions posed by commission members and staff.

It was noted for the record that Alternate Commissioners Pensiero and Loeb were voting due to Commissioner Redness' recusal and Commissioner Saunders' absence.

- **Appl. 215-02 – The Strand/BRC Group, LLC, Text Change, to Amend SRD-S (Harbor Point) regulations to increase permitted non-residential (FAR) from 0.20 to 0.23.**

**Commissioner Trow moved no change to the wording from October 26, 2015 letter (no modifications).  
Seconded by Commissioner Strada; Approved By: Loeb, Trow, Ortelli, Karp, and Pensiero;  
Abstained: Adelberg    Motion carried.**

- **Appl. 215-03 – The Strand/BRC Group, LLC, Washington Blvd./Bateman Way, Amend GDP, to amend the General Development Plan (GDP) for Harbor Point by: 1) replacing the note on the plan to read "Block P7 Permitted Uses: Office and Retail, Public Access, Marina, Parking" and amending the wording of Condition #7 as to when and how the boatyard facility at YHW can be modified or relocated.**  
Commission Consultant Steadman voiced several comments. Commissioner Trow proposed amending Commission's #5 comment in its 10/26/2015 letter to call for an updated viability study incorporating the changes and modifications presented in BLT's revised applications.

**Commissioner Pensiero moved to reiterate per discussion the same wording from the October 26, 2015 letter.  
Seconded by Commissioner Karp                      Approved unanimously.**

- **Appl. 215-04 – Southfield Property, LLC, Text Change, to Amend DWD standards regarding maximum building height, minimum front setback, retention of existing structures and exemption of Water Dependent Uses from the calculation of building coverage, ground coverage, public access, preservation of visual resources and landscaping. In its 10/26/2015 letter, the Commission had found several inconsistencies with the harbor plan.**

**Commissioner Trow moved the Application to be inconsistent with the Harbor Management Plan.  
Seconded by Commissioner Pensiero                      Approved unanimously**

- **Appl. 215-05 – Waterfront Office Building, LP, 62, 68 and 78 Southfield Ave., Map Change, to rezone 8.15 acres of property from CWD to DWD, for property known as Stamford Landing. Previously, the Commission shared comments with the Zoning Board and the developer, emphasizing the importance of protecting and furthering water dependent facilities with meaningful public access. Such comments were expressed in the Commission's letter of 10/26/2015 without taking a position either in favor or disfavor of this application. Similar sentiment was expressed again.**

**Commissioner Trow moved to reiterate Commission's findings of 10/26/2015 excluding the deferred action statement.**

**Seconded by Commissioner Pensiero.**

**A subsequent motion by Commissioner Karp was made to include the deferred action statement.**

**Seconded by Commissioner Pensiero                      Approved unanimously**

- **Appl. 215-06 – Southfield Property LLC and Waterfront Office Building, LP 28, 46, 62, 68, 78 Southfield Avenue, and 2 Selleck Street, Special Permit, General Development Plans and Coastal Site Plan Review, to construct 261 units of housing and a boatyard and marina with public access uses on 13.4 acres in a DW-D zone.** Lengthy discussion ensued on the suitability and economic viability of the proposed boatyard.

Commissioner Trow moved to reiterate Commission's 10/26/2015 findings of inconsistency, recommending letter comment #4 be modified acknowledging there could likely be less over-the-road hauling of boats to a proposed storage site at 205 Magee Ave. However, the proposed Southfield Ave. boatyard site overall fails to replicate sufficiently the services offered by the former 14 acre Yacht Haven West boatyard. An unfavorable recommendation is to be sustained.

Seconded by Commissioner Karp                      Approved by: Loeb, Trow, Ortelli, Karp, Pensiero, and Strada  
Opposed: Adelberg      Motion carried.

- **Appl. 215-07 – Southfield Property LLC and Waterfront Office Building, LP, 28, 436,62, 68 78 Southfield Avenue, and 2 Selleck Street, Final Site and Architectural Plans & Requested Uses, Special Exception and Coastal Site Plan Review, to construct 261 units of housing and a boatyard and marina with public access on approximately 13.4 acres in a DW-D zone.** In its 10/26/2015 the Commission expressed its view that the reports submitted by various consultants did not provide information satisfactory to the Commission demonstrating operational and economic viability of the proposed boatyard/marina.

Commissioner Pensiero moved to reiterate the Commission's 10/26/2015 findings and unfavorable recommendation.

Seconded by Commissioner Strada                      Approved by: Loeb, Trow, Ortelli, Karp, Pensiero, and Strada  
Opposed: Adelberg      Motion carried.

- **CSPR-978 – Waterfront Magee, LLC, 205 Magee Avenue, to establish a boat storage and repair yard on 3.5 acres in a M-G zone.** When viewed as a stand-alone project, the Commission had found this application to be consistent with the harbor plan as was expressed in its 10/26/2015 letter.

Commissioner Strada moved to reiterate the letter's finding of consistency with the Harbor Management Plan.  
Seconded by Commissioner Pensiero                      Approved unanimously.

Planning/Moorings – R. Redniss. No Meeting.

Harbor Management Review – R. Redniss. No Meeting.

#### 4) Staff Reports:

- a) **Financial – Frank Fedeli** briefly discussed the Commission's \$46,000.00 budget. He will present a detailed report in June.
- b) **Harbor Master – E. Knott.** Report read by Chairman Ortelli (See attachment for report.)  
Discussion of Temporary Boatyard hours of operation still not being fully open for pumping fuel as proscribed by zoning regulations. Lack of enforcement were cited by several commissioners.

**Chairman Ortelli made a motion to again inform the Zoning Board of this problem and request that it aggressively enforce the boatyard's fuel hours of operation.**

Seconded by Commissioner Karp.                      Approved unanimously

#### 5) Old Business:

- a) Printing of this season's SHMC Boating Guide pamphlets was discussed, with distribution to be available well before the Memorial Day Weekend. As before, Commissioners and staff to assist in their dissemination.

#### 6) New business as may properly come before the Commission:

Davenport Landing Boatyard Modifications taken up under Applications Review.  
Mention was made of a 3000 gallon sewage leak this past weekend into the harbor.  
Mention was made of rock and speed markers still not installed.

#### 7) Public Participation:

- Don Corbo discussed his personal boating situation and commented it is a disservice to the boating community not having a boatyard.

- Randy Dinter commented that having a viable, full service and economically sustainable boatyard is crucial. The location of the proposed boatyard on Southfield Ave. is terrible, lacks sufficient quantity of boat slips, is not well suited nor well sited, and is not safe.

**8) Next SHMC meeting on Tuesday, June 21, 2016 at 6:30 p.m.**

**Upon motion by Commissioner Adelberg and seconded by Commissioner Trow, Commission voted unanimously to adjourn at 10:34 p.m.**

Respectfully submitted

Robert M. Karp

Secretary/Treasurer

May 10, 2016

Cc: Commissioners; David Martin, Mayor; Ernie Orgera, Director of Operations; Board of Representatives; Town Clerks Office

# Stamford Harbor Master's Report 05/09/2016

## Moorings.

- Renewals are now more or less complete. Mooring status (as of 5/05/2016);
  - Approved - 72
  - Awaiting inspection - 05
  - Under review - 01
  - EXPIRED Renewal not received - 06
  - Held inactive for 2016 season - 06
  - Not being renewed - 11

## Garbage and Debris

- There continue to be reports of large floating debris in and around the harbor. The Police Harbor Unit have retrieved several items, but there is a large piling washed up on the beach near Dolphin Cove where there is no shoreside access and the city does not have suitable equipment to recover it from the water-side. Sean Elumba (City Ops. is still looking into this one).
- The derelict docks moored inside the hurricane barrier have now 50% broken up and sunk. Removal, which was promised by City Ops 20-months ago while everything was intact and floating, is now going to be time-consuming and costly. (USCOE is aware, concerned and gave permission for access and the offer of assistance over a year ago but has heard nothing since). This sunken wreckage will move with tidal flow and water movement caused by passing boats will cause a definable navigation hazard to both commercial and recreational vessels. Floating debris is at risk of causing damage to docks and vessels mooring in the east branch of the harbor

## Harbor activity

- Despite the continuing cool and wet weather, harbor activity is increasing. Due to the lack of launching facilities in the harbor, many boats have not yet been able to be launched and take up their summer moorings.
- The fuel dock at the temporary boat yard is not yet open for business. The nearest operational fuel docks are at Seaview Marina in Westcott Cove or Palmer's Point Marina in Cos Cob (Mianus River).
- Despite the inevitable run-off from recent rains, harbor water quality is surprisingly good. Vast schools of bait-fish, mostly Bunker are present throughout the harbor. At dawn and dusk there is visible predation by much larger fish, most likely Striped Bass. On 2 consecutive days, I witnessed 30 lbs+ Striped Bass caught and landed from within the outer harbor.

## Harbor Visit

- On May 3<sup>rd</sup>, I hosted a visit and on the water tour of the harbor by Dominic Yanchunas, the editor of Professional Mariner Magazine. We were on the water for almost 3-hours viewing the commercial aspects of the harbor. Although very familiar with commercial operations on the east coast (north of New York in particular), he had no idea that Stamford was a commercial harbor at all, let alone the extent of commercial usage. He took copious notes and many photographs and is planning a full story in the (hopefully) not too distant future.

## Expenses outstanding (since February 29<sup>th</sup> 2016)

- fuel \$ 0.00
  - Stamford 421 equipment/repair \$ 1120.83
  - Harbor Master cellphone + miscellanies \$ 108.90
- \$ 1229.73

## Harbor Commission boat.

- Fuel level is now 75%. No procedure has yet been made to allow refueling and reclamation of the cost. In view of recent events (last Commission meeting), I request that any procedure should be in writing and contain details of what paperwork/forms/receipts are required by the city and a time-scale for payment after submission of the claim. I am waiting for such a procedure before I accept further personal cost of a refueling.

Respectfully submitted

Captain Eric Knott Harbor Master  
Captain Yale Greenman Deputy Harbor Master

