



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

Minutes of June 21, 2016

DRAFT

A regularly scheduled meeting was held on Monday, June 21, 2016 at the Stamford Government Center – Conference Room, 6th Floor.

Called to order at 6:32 p.m., Chairman Ortelli presiding.

In Attendance:

Commissioners: Dr. Damian Ortelli; Paul Adelberg; Robert Karp; Ray Redniss; Jeffrey Saunders; Robert J. Strada; and Commissioner Alternate Steven Loeb

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

Absent: Commissioner Griffith Trow; Commissioner Alternate Michael Pensiero; Yale Greenman, Deputy Harbor Master; and Sean Elumba, Marina Supervisor

1) Review and Approval of May 9, 2016 Meeting Minutes. Correction under Staff Reports.

Commissioner Redniss moved to approve as corrected.

Seconded by Commissioner Karp

Approved Unanimously

2) Chairman's Report: D. Ortelli.

- a. Reported on 100 Sea Beach Drive Fence Case, the conference was held at DEEP Headquarters on June 7, 2016. Public hearing is to be held on the matter August 4, 2016 at 6:30 p.m. at the Stamford Government Center with a site visit the same day at 4:30 p. Public comment period to close on August 9, 2016 at end of business day.
- b. Reported the ACOE notified the HMC it is installing a third fence on the eastern side of the moveable hurricane barrier to block the public from getting to it.
- c. Reported that BLT has received from DEEP a year's extension on its permit to dredge the West Branch of the harbor in the vicinity of its proposed Davenport boatyard site.

3) Committee Reports:

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

Applications Review – G. Trow was unable to attend meeting and R. Karp substituted for him. Meeting was held on Monday, June 6, 2016. Commissioner Karp brought forward the following applications:

- Application COP application #201603752 from DEEP for 84 Davenport Drive - repair/reconstruction of sea wall and dock. Upon review by Consultant Steadman ARC recommended HMC can find the proposal consistent with the HMP assuming an existing floating dock is properly permitted. Additionally: 1) the applicant's plans should show the extension of the of littoral property line in the vicinity of the existing dock and the distance between that dock and the property line; and 2) best construction practices be employed to prevent any adverse impacts on the harbor.

Alternate Commissioner Loeb is voting in place of Commissioner Trow.

Commissioner Karp moved to accept the committee's recommendation.

Seconded by Commissioner Redniss

Approved Unanimously

- CSPR-1008 – Dr. Rudolph Taddonio, 182 Dolphin Cove Quay. representing the property owner was Mr. Brian McMahon of Redniss & Mead Inc. This application is requesting approval to install a new generator and concrete pad with conduit. Property is located in the CAM Boundary. Consultant Steadman commented this proposal affects property adjoining the harbor but is not an activity that is addressed in the HMP. ARC recommended the HMC respond with a no comment letter.

Commissioner Redniss recused himself.

Commissioner Karp moved to accept the committee’s recommendation.

Seconded by Commissioner Strada

Approved Unanimously

Attorney Lisa Fienberg of Carmody Torrance Sandak & Hennessey LLP was present to answer Commission questions regarding the following two applications which are related:

- ZB Application #216-19, 43 Gatehouse Road - Coastal site plan review. While near the shoreline, this property does not adjoin the Harbor and the proposed work will not adversely impact it. Consultant Steadman noted this type of proposal is not addressed in the HMP and therefore recommended the HMC have no comment.
- Application #216-20 from the Zoning Board for text amendment (related to App. #216-19 above). It pertains to an Industrial Park Design District. If approved it would allow the erection of a covered pedestrian walkway rather than just an enclosed pedestrian walkway at 72 Cummings Point Rd. Complicating the text change is that the building is non-conforming and sits in a flood hazard zone. If demolished it could be replaced with the same floor area ratio. This kind of change is not specifically addressed in the HMP. But, as Consultant Steadman pointed out, the replacement structure, as proposed, would conform to higher anti-flood measures which the HMP does encourage and support.

Commissioner Redniss recused himself.

Commissioner Adelberg moved to approve both Applications #216-19 and #216-20 provided proposal meets all local, state and FEMA requirements to mitigate flood risk.

Seconded by Commissioner Strada

Approved: Karp, Strada, Saunders

Opposed: Loeb

- ZB Application #216-21: text amendment to decrease parking setback requirements for institutions of higher learning. Focus of the text change is a commercial building at the corner of Shippan and Seaview Avenues. Discussion ensued over concerns that implications of such a text change for other properties in coastal zones are unknown. Consensus was reached to have no comment.

Commissioner Redniss recused himself.

Commissioner Adelberg moved to transmit a no comment letter with the proviso that all properties potentially affected by the text change comply with zoning regulations.

Seconded by Commissioner Strada

Approved: Karp, Strada, Saunders

Opposed: Loeb

- Application 216-03 Southfield Property LLC, Text change, to amend building front yard setback regulations in the Designed Waterfront Development (DWD) district not to exceed 25 feet. Commissioners voiced concerns of unintended ramifications to other DWD parcels which could negatively impact water dependent uses.

On an amended motion by Commissioner Karp, seconded by Commissioner Adelberg (Commissioners Redniss and Saunders recused themselves), the Commission voted unanimously that it cannot make a favorable recommendation, urging the ZB to require that the applicant demonstrate there would be no adverse impacts on an water dependent uses in any DWD zone.

Planning/Moorings – R. Redniss. No Meeting.

Harbor Management Review – R. Redniss.

- Should not be an ongoing agenda item. Budget Review is a more appropriate and timely committee task. Committee chair Redniss seeks funding input from other commission chairs, as well as from staff.

4) Staff Reports:

- a) **Financial – Frank Fedeli.** Presented Fiscal Year 2016-17 – Program (Budget) Report. Extensive discussion occurred.

Upon motion by Commissioner Adelberg, a resolution of the HMC was presented authorizing Frank Fedeli to draft (with Commission input) and send to City Budget Director Jay Fountain a memo requesting that the administration put in writing heretofore verbal assurances that no commission monies will be extracted from commission fund accounts at the end of FY 2016-17, and any surplus funds in HMC accounts will be rolled over each succeeding fiscal year.

Seconded by Commissioner Karp

Resolution adopted Unanimously

- b) **Harbor Master – E. Knott.** (See attachment for report.)

5) Old Business:

- a) Discussion on Stamford Harbor Boating/Safety Pamphlets and their distribution.

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

- a) Discussion of nomination and election of HMC Officers. Process delayed until Commissioners whose terms are expiring in August are either reappointed or replaced.

7) Public Participation: None

8) Next SHMC meeting on Tuesday, July 19, 2016 at 6:30 p.m.

Upon motion by Commissioner Adelberg and seconded by Commissioner Trow, Commission voted unanimously to adjourn at 9:27 p.m.

Respectfully submitted
Robert M. Karp
Secretary/Treasurer
June 23, 2016

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