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WILLIAM MALLOY, JR.

CITY OF STAMFORD, CONNECTICUT  
STAMFORD HARBOR  
MANAGEMENT & SHELLFISH  
COMMISSION

Scheduled SHMC meeting on 9/20/2022 via Zoom; called to order at 6:34 PM-Chairman Ortelli presiding.

**In Attendance:**

Commissioners: Dr. Damian Ortelli, Chairman; Commissioners Paul Adelberg (7:20); Robert Karp; Michael Pensiero; Russ Hollander (6:40 p.m.), Alternate.  
Staff: Frank Fedeli, COS; Sgt. Kevin Fitzgibbons, Stamford Police Dept.; Yale Greenman, Harbor Master; Frank Fumega, Deputy Harbor Master; Geoff Steadman, Consultant (6:55 p.m.); and Maria Vazquez-Goncalves, Recorder.  
Absent: Commissioner Sam Abernethy, Ray Redniss, William Malloy, III; Captain Eric Knott, Online Mooring; Frank Baldassare, Marina COS; Scott Denise, Assistant Marina Supervisor, COS.

**1) Review & Approval of Meeting Minutes**

- **Commissioner Hollander abstained.**
- **Commissioner Pensiero moved to approve July 19, 2022 minutes.**
- **Commissioner Adelberg seconded the motion.**
- **Unanimously approved.**

**2) Chairman's Report**

- a) Discussion on congratulations to Chief Louis DeRubeus in being named the City of Stamford's new Director of Public Safety.
- b) Harbor Fest Funding request. Soundwaters is requesting the SHMC's annual contribution be raised by \$1,000.00 to \$5,000.00. Bob Mazzone, Soundwaters discussed the Harbor Fest Fundraiser Event.
  - **Commissioner Pensiero made a motion to approve a \$5,000.00 funding request/annual contribution to Soundwaters from SHMC.**
  - **Commissioner Karp seconded the motion.**
  - **Unanimously approved.**
- c) Update on the Shellfish Permit and Water Quality Testing. Mike Bagley, Soundwaters, discussed the samplings and procedures.

- d) Discussion on the Stamford Ferry Exploratory Meeting that was held on Thursday, August 25, 2022, with various land use officials and stake holders regarding the installation of a ferry terminal at the Villages on Canal St.
- e) Discussion on the Federal Performance Evaluation of the Connecticut Coastal Management Program. DEEP is holding a public meeting on Wednesday, September 28, 2022, at 6:30 p.m. at the Meigs Point Nature Center, meeting room at Hammonasset Beach State Park, 1288 Boston Point Road, Madison, CT 06443 to provide an opportunity for members of the public to express their opinions about the implementation of the state's coastal management program. Stakeholders and members of the public may provide written comments by email to [Ralph.Cantral@NOAA.gov](mailto:Ralph.Cantral@NOAA.gov) no later than Friday, October 7, 2022.
  - **Commissioner Karp made a motion to support transmittal of written comments to Ralph Cantral expressing the concerns of the SHMC's regarding the relationship of the Harbor Management Commissions with DEEP.**
  - **Commissioner Pensiero seconded the motion.**
  - **Unanimously approved.**
- f) Discussion on the Stamford Charter Revision. The Land Use Committee of the Charter Revision Commission would like input with regard to possible changes in the Charter regarding land use and the harbor. There was discussion as to whether this might be an opportunity to formally determine the municipal boundary between Stamford and Greenwich in Long Island Sound. Committee is meeting via Zoom on Thursday, September 22, 2022 at 6:30 p.m. and then again two weeks later.

### **3) Committee Reports**

**Application Review Committee:** Commissioner Karp: Committee met on 8/01/22 and on 9/06/22, next scheduled meeting is 10/03/22.

- Referral of CSPR 1150 – Vinay Pande, 46 Cook Road, Stamford, CT.
  - **Commissioner Pensiero moved to accept the ARC recommendation of a finding of no objection with the understanding that the project is not expected to affect the Harbor Management Area in any significant way.**
  - **Commissioner Adelberg seconded the motion.**
  - **Unanimously approved.**
- Referral of CSPR 1151 - Operation MLC, LLC, 280 Ocean Drive East, Stamford, CT.
  - **Commissioner Pensiero moved to accept the ARC recommendation of a finding of consistency with the HMP with the understanding that the proposed project will significantly improve stormwater and water quality conditions affecting the Harbor Management Area and provided the Engineering Department determines compliance with all City storm water**

**management requirements and that any increased peak runoff flows to adjoining properties are insignificant.**

- **Commissioner Adelberg seconded the motion.**
- **Unanimously approved.**
  
- Referral of CSPPR 1152 – Robert Luton, 23 Ralsey Road South, Stamford, CT.
  - **Commissioner Pensiero moved to accept the ARC recommendation of a finding of no objection with the understanding that the project is not expected to affect the Harbor Management Area in any significant way.**
  - **Commissioner Adelberg seconded the motion.**
  - **Unanimously Approved**
  
- Referral of CSPPR 1154 – 32 FCR LLC, 32 Flying Cloud Road, Stamford, CT.
  - **Commissioner Pensiero moved to accept the ARC recommendation of a finding of consistency with the HMP, with the understanding that the proposed project will significantly improve stormwater and water quality conditions affecting the Harbor Management Area and provided the Engineering Department determines compliance with all City storm water management requirements.**
  - **Commissioner Adelberg seconded the motion.**
  - **Unanimously Approved**
  
- Referral of Application 222-23 – Seaview House LLC, 68 Seaview Avenue, Stamford, CT – Map Change. Tabled.
  
- Referral of Application 222-24 – Seaview House LLC, 68 Seaview Avenue, Stamford, CT-Site & Architectural Plans and/or Request Uses. Tabled.
  
- Referral of CSPPR 1155 – Jamie C. and Gary M. Shannon, 51 Lanark Road, Stamford, CT.
  - **Commissioner Pensiero made a motion to recommend to the HMC a finding of no objection with the understanding that the project is not expected to affect the Harbor Management Area in any significant way.**
  - **Commissioner Adelberg seconded the motion.**
  - **Unanimously Approved**
  
- Referral of Application 222-28 – City of Stamford – Zoning Board, 888 Washington Boulevard, Stamford, CT.
  - **Commissioner Pensiero made a motion to recommend to the HMC a finding of no objection with the understanding that the**

**project is not expected to affect the Harbor Management Area in any significant way.**

- **Commissioner Adelberg seconded the motion.**
- **Unanimously Approved**
- Referral of CSPR 1156 – Karen Jordon, 102 Soundview Avenue, Stamford, CT.
  - **Commissioner Pensiero made a motion to recommend to the HMC a finding of no objection with the understanding that the project is not expected to affect the Harbor Management Area in any significant way.**
  - **Commissioner Adelberg seconded the motion.**
  - **Unanimously Approved**
- Referral of CSPR 1157 - Carousel Balloons LLC & Raymond P. Zodda, 1226 East Main Street, Stamford, CT.
  - **Commissioner Pensiero made a motion to recommend to the HMC a finding of no objection with the understanding that the project is not expected to affect the Harbor Management Area in any significant way.**
  - **Commissioner Adelberg seconded the motion.**
  - **Unanimously Approved**
- CT DEEP LWRD License Application Pre-Submission Consultation Form, HMC – The City of Stamford, 400 Washington Blvd and 172 & 186 Greenwich Avenue, Stamford, CT.
  - **Commissioner Pensiero moved to accept the ARC recommendation of no objection to inclusion of the applicant’s pre-application plans in an application to DEEP and to provide comments as discussed, including comments concerning public safety as previously provided to the Zoning Board during the coastal site plan review process.**
  - **Commissioner Adelberg seconded the motion.**
  - **Unanimously approved.**
- CT DEEP LWRD License Application Pre-Submission Consultation Form, Shellfish Commission – The City of Stamford, 400 Washington Blvd and 172 & 186 Greenwich Avenue, Stamford, CT.
  - **Commissioner Pensiero moved to accept the ARC recommendation, when acting as the Shellfish Commission, a finding of no objection to inclusion of the applicant’s pre-application plans in an application to DEEP and to provide comments as discussed.**

- **Commissioner Adelberg seconded the motion.**
  - **Unanimously approved.**
- CT DEEP LWRD Notice of Tentative Determination concerning Application No. 202111893-SDF by TL76 Holdings, LLC concerning proposed construction of a concrete cap along an existing bulkhead and extending the existing bulkhead and cap at the 14-acre site in the Stamford Harbor Management Area at 100 Bateman Way.
    - **Commissioner Pensiero moved to inform DEEP that it is not possible for the SHMC to make a favorable recommendation concerning this application at this time insofar as the proposed project is an extension of a project previously found by the SHMC to be inconsistent with the Harbor Management Plan, and to provide comments as discussed.**
    - **Commissioner Adelberg seconded the motion.**
    - **Unanimously approved.**

**Safety Committee:** No meeting, no report.

**Marina Committee:** No report.

#### **4) Staff Reports**

##### **Financial Review:**

- Mr. Fedeli presented his financial report.

##### **Harbor Master Report:**

- Harbor Master Greenman discussed several harbor issues and concerns.
- Deputy Harbor Master Fumega voiced his concerns regarding boaters who are not following boating safety protocols on the water.

##### **Marina Supervisor:**

- Commissioner Ortelli stated that Frank Baldassare reported they continue to be working on the docks.

#### **5) Old Business**

- No update on the harbor management-related Appellate Court Case.
- No update on the harbor user fees.
- Frank Fedeli updated the Commissioners on the Robert Strada Memorial bench.
- There was discussion of the city's successful applications for Small Harbor Improvement Projects Program (SHIPP) grants for three harbor improvement projects: dredging of Cove Island Marina; design and permitting for restoration of Cummings Park Marina; and feasibility evaluation of potential sites for a new public boat launching ramp.

**6) New Business** None

**7) Public Participation:**

- Maureen Boylan discussed the 14-acre site and reported that DEEP representatives met on site regarding the property's air quality; and expressed concerns regarding the timing of the West Beach boat launch project.
- Sue Halpern, VP South End Neighborhood Association and on the Charter Committee, discussed concerns regarding the proposed ferry, the lighting at K Park, and conditions on the 14-acre site. Commissioners agreed to request from DEEP a report concerning the status of the required site remediation.

**8) Next Scheduled Meeting:** October 18, 2022 at 6:30 p.m.

**9) Adjournment**

- **Commissioner Adelberg made a motion to adjourn.**
- **Commissioner Pensiero seconded the motion.**
- **Unanimously approved.**