

Stamford Harbor Management Commission (HMC) - Applications Review Committee Minutes

Date: April 3, 2023
Time: 5:30 p.m.
Location: Remotely on Zoom
Roll Call: In Attendance: Chairman Robert Karp; Commissioners Damian Ortelli and Paul Adelberg; Consultant Geoff Steadman and AAC Maria Vazquez-Goncalves.

1. The meeting was called to order by Committee Chairman Karp at approximately 5:43 p.m.
2. Review and Approval of March 6, 2023 Meeting Minutes.

**Commissioner Adelberg moved to approve March 6, 2023 Meeting Minutes.
Seconded by Commissioner Ortelli Unanimously Approved**

3. Referral of CSPR 1168 – Quesited Consulting LLC (Katie Wagner) on behalf of 50 Ocean Drive North, Stamford, CT. Applicant is proposing to install a new in-ground infinity pool with infinity catch basin, spa, and associated pool equipment. Property is located within the CAM boundary. Application was removed by representative pending updates.

4. Referral of Application 223-04 – Dariusz Lesniewski, 16 Remington Street, Stamford, CT. Site and Architectural Plans and/or Requested Uses, Special Permit, Coastal Site Plan Review and Application for approval for addition to the Stamford Cultural Resources Inventory (CRI). Applicant is proposing Critical Reconstruction of a historic house and constructing two new townhouses attached to the rear along with associated parking pursuant to Section 7.3. Dariusz Lesniewski was present to discuss the application and answer commissioners' questions.

Commissioner Adelberg made a motion to recommend to the HMC a finding of consistency with the Harbor Management Plan provided the project meets all City of Stamford Stormwater Management requirements and with the understanding that the proposed in-ground stormwater infrastructure will result in a significant improvement in stormwater conditions on the site.

Seconded by Commissioner Ortelli Unanimously Approved

5. Application 223-23 – Seaview House LLC, 68 Seaview Avenue, Stamford, CT – Map Change. Applicant is proposing to rezone 68 Seaview Avenue from the permit R-5 (Multiple Family Medium Density Design District) to proposed RM-1 (Multiple Family, Low Density Design District). William J. Hennessey Jr., Meghan M. Miles, Carmody Law, applicant's representatives, were present to describe the proposal and answer commissioners' questions. It was noted that the ARC previously had expressed no objection to this proposal pending receipt and review of comments provided by DEEP. Attorney Hennessey read from a September 14,

2022 letter from DEEP and reported that DEEP has judged the proposal consistent with the CT Coastal Management Act.

Commissioner Adelberg made a motion to recommend to the HMC a finding of no objection, with the understanding that DEEP has commented on the proposal and found it to be consistent with the Coastal Management Act.

Seconded by Commissioner Ortelli Unanimously Approved

6. Application 223-24 – Seaview House LLC, 68 Seaview Avenue, Stamford, CT – Site & Architectural Plans and/or Requested Uses, Special Permit and Coastal Site Plan Review. Applicant is proposing to convert the main building, a mostly vacant office building into a predominantly residential multifamily development containing (52) residential units, office space on the second floor and on-site parking. The marina will be unchanged and continue operations and the boardwalk located on the east of the property will continue to be open for public access. William J. Hennessey Jr., Carmody Law; Stuart Johnson, Minno & Wasko; and Len D’Andrea, D’Andrea Engineering, applicant’s representatives, were present to describe the proposal and answer commissioners’ questions. Lengthy and significant discussion ensued, including much discussion about floodplain management-related issues. Attorney Hennessey stated that discussions with FEMA and DEEP are ongoing concerning compliance with FEMA requirements for development in the coastal floodplain. The applicant believes that all floodplain management issues have been properly addressed. The road providing access to the property will be raised above the base flood elevation and the applicant has completed engineering analyses of potential flood conditions in support of the project. DEEP has provided two letters regarding the proposal. In the first, dated September 14, 2022, DEEP notes that the proposal would increase residential density in the coastal floodplain, is therefore inconsistent with the CT Coastal Management Act, and as a result DEEP recommends that the Zoning Board deny the proposal. The second DEEP letter, dated April 3, 2023, concerns technical aspects of flood prone area zoning regulations and the need to be compliant with those regulations. Attorney Hennessey said that it may take some time to resolve current issues expressed by DEEP and FEMA concerning the application of FEMA requirements to the project and he said it is important to move the project forward in the meantime. Mr. Steadman noted that FEMA is the final authority concerning the application of its requirements and that the Harbor Management Plan supports the Coastal Management Act policies to guide waterfront land-use. Attorney Herbst representing residents of the Marina Bay condominiums reported on the on-going discussions between his clients and the applicant, including discussions concerning the condition of an existing seawall, and said he would provide a written statement for the HMC. Land-Use Bureau Chief Blessing described the need for compliance with FEMA requirements and the Bureau’s interest in achieving an appropriate balance between goals for beneficial development, protection of public safety, and good floodplain management.

Commissioner Ortelli made a motion to recommend to the HMC a finding of no objection, pending additional consideration of Coastal Management Act considerations and provided the proposed project is compliant with all applicable FEMA requirements.

Seconded by Commissioner Adelberg Unanimously Approved

7. Referral of CSPPR 1167 – James Parker, 64 Lewelyn Road, Stamford, CT. Proposing the construction of a second story addition. Property is located within the CAM boundary. James Parker, the Applicant was present to describe the project. Commissioners thanked Mr. Parker for waiting patiently through the previous lengthy discussion.

Commissioner Adelberg made a motion to recommend to the HMC a finding of no objection to the project insofar as it is not expected to affect the Harbor Management Area in any significant way.

Seconded by Commissioner Ortelli Unanimously Approved

8. Application 223-05, 223-06, 223-08 & 223-10 (Revised) – City of Stamford, Zoning Board, 888 Washington Blvd., Stamford, CT – Text Change.

Commissioner Ortelli made a motion to recommend to the HMC a finding of no objection with the understanding that the proposed text changes are not expected to affect the Harbor Management Area in any significant way.

Seconded by Commissioner Adelberg Unanimously Approved

9. Application 223-16 – City of Stamford, Zoning Board, 888 Washington Blvd., Stamford, CT – Text Change.

Commissioner Ortelli made a motion to recommend to the HMC an expression of support for the proposal with the understanding that certain activities that may affect the Harbor Management Area, including paving projects requiring compliance with stormwater management requirements, would now be subject to zoning approval as well.

Seconded by Commissioner Adelberg Unanimously Approved

10. Application 223-17 – City of Stamford, Zoning Board, 888 Washington Blvd., Stamford, CT – Text Change.

Commissioner Ortelli made a motion to recommend to the HMC a finding of no objection with the understanding that the proposed text changes are not expected to affect the Harbor Management Area in any significant way.

Seconded by Commissioner Adelberg Unanimously Approved

11. Application 223-18 – City of Stamford, Zoning Board, 888 Washington Blvd., Stamford, CT – Text Change.

Commissioner Ortelli made a motion to recommend to the HMC a finding of no objection with the understanding that the proposed text changes are not expected to affect the Harbor Management Area in any significant way.

Seconded by Commissioner Adelberg Unanimously Approved

12. Old Business:

- Consultant Steadman reported on the legislative initiative (HB 5614 drafted by the Environment Committee) to achieve amendments to the CT Harbor Management Act to clarify and uphold municipal harbor management authority. This initiative is in response to the CT court case Cohen v. DEEP seen to diminish municipal harbor management authority. A Public Hearing on HB 5614 was held on February 27 at which Mr. Steadman testified on behalf of the HMC and other harbor management commissions. Following the Hearing, DEEP submitted a letter of objection that he said does not reflect an accurate understanding of the purpose of the proposed Bill. The Environment Committee then decided not to move the Bill forward. However, thanks to the efforts of Rep. David Michel, discussions remain ongoing and Rep. Michel is attempting to convene a meeting with DEEP officials to achieve a positive legislative result.
- SHMC – Application Review Process for Connecticut DEEP Permits - Flow Charts: no new update; work in progress.
- SHMC – Application Review Process for Coastal Site Plan Approvals - Flow Charts: no new update.

13. New Business: None

14. Next scheduled meeting Monday, May 1, 2023 at 5:30 p.m.

Commissioner Adelberg made a motion to adjourn.

Seconded by Commissioner Ortelli Unanimously Approved

Respectfully Submitted by
Maria Vazquez-Goncalves
April 4, 2023