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

Scheduled SHMC meeting on 8/15/2023 via Zoom; called to order at 6:34 PM-Chairman Ortelli presiding.

In Attendance:

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

1) Review & Approval of Meeting Minutes

- **Commissioner Adelberg moved to approve July 18, 2023, amended minutes.**
- **Commissioner Pensiero seconded the motion.**
- **Unanimously approved.**

2) Chairman's Report

- a) Discussion regarding nature of activity on the 14-acre Boatyard parcel, including questions regarding applicability of Flood Prone Area Regulations; no representative of property owner was present to answer questions; matter to be continued.
- b) Discussion on Shellfish relays and restricted beds.
- c) Discussion on DPH Vibrio vulnificus Warning.
- d) Discussion on EPA Diesel Engine Grant.
- e) Discussion on BLT Headquarters Conversion to multi-family development; Commission concerned that CSPR for conversion approved by Zoning Board without required referral of application to Harbor Management Commission; matter to be discussed further with Land-Use Bureau.

3) Committee Reports

Application Review Committee: Commissioner Karp: Committee met on 8/7/23, next scheduled meeting is 9/11/23.

Referral of CSPR 1169 (Revised) – Samantha Lavy and Gad Lavy, 141 Downs Avenue, 0 Ralsey Road South, Stamford, CT. Attorney William Hennessey, Carmody Torrance Sandak & Hennessey LLP, representing Applicants, was given opportunity to provide additional comments concerning the proposal, including comments in response to discussion at August 7, 2023 ARC meeting. Significant discussion ensued.

Commissioners noted that permission/agreements from neighbors having an interest in the shared beach lot has not been secured for the improvements proposed by the Applicants on this lot. It was recognized that the proposed project has certain positive impacts including impacts on storm water conditions. As discussed, it is the responsibility of the SHMC to consider all aspects of a proposal that may affect property adjoining the harbor and to interpret all applicable policies of the Harbor Management Plan.

- **Commissioner Karp recused himself.**
- **Commissioner Abernethy moved to accept the ARC recommendation that the SHMC is not able to make a favorable recommendation regarding this project at this time due to the unresolved differences between the applicant and neighbors concerning the extent of the neighbors' deeded access rights. In addition, the SHMC will inform the Zoning Board of neighbors' opposition to the proposed project and recommend that the Zoning Board hold a public hearing on this matter. It was noted that the proposed project is expected to have positive impacts on storm water conditions.**
- **Commissioner Adelberg seconded the motion.**
- **Commissioner Malloy and Pensiero abstained.**
- **Unanimously approved.**

Referral of CSPR 1174 – Kevin Przypek on behalf of Mike Vitanza, 77 Kenilworth Drive, Stamford, CT.

- **Commissioner Adelberg moved to accept the ARC recommendation of no objection provided the proposed project meets all FEMA requirements.**
- **Commissioner Pensiero seconded the motion.**
- **Unanimously approved.**

Application 223-32 (Revised) – City of Stamford – Zoning Board, 888 Washington Blvd., Stamford, CT, - Text Change.

- **Commissioner Adelberg moved to accept the ARC recommendation of consistency with the Harbor Management Plan with respect to the proposed text changes concerning substantial renovations and alternations in flood prone areas and no objection with respect to the other sections of the proposed text changes.**
- **Commissioner Pensiero seconded the motion.**
- **Unanimously approved.**

Referral of CSPR 1176 – Guiltec Development LLC, 95 Soundview Drive, Stamford, CT.

- **Commissioner Abernethy moved to accept the ARC recommendation of no objection insofar as the proposed project is not expected to affect the Harbor Management Area in any significant way.**

- **Commissioner Pensiero seconded the motion.**
- **Unanimously approved.**

Safety Committee: No meeting.

Marina Committee: No meeting.

4) Staff Reports

Financial Review:

- Frank Baldassare emailed the Monthly Finance Report.

Harbor Master Report:

- Harbor Master Yale reported on harbor conditions and recommended additional information for posting on SHMC webpage.

Marina Supervisor:

- Chairman Ortelli reported on behalf of Frank Baldassare, he is continuing to repair the finger docks. Also, reporting that he needs two checks for \$20 each for the two abandoned boats.
- **Commissioner Adelberg moved to make out two checks in the amount of \$20 each regarding the two abandon boats.**
- **Commissioner Pensiero seconded the motion.**
- **Unanimously approved.**

5) Old Business

- a) No discussion on Harbor User Fees.
- b) Update on the Robert Strada Memorial bench; this will receive priority attention.
- c) No update on the Boat Ramp Feasibility study; discussions ongoing with Land Use Bureau regarding establishment of agreement with selected engineering consultant.
- d) No updates on negotiations with DEEP on matters concerning legislation to clarify and confirm harbor management authority.
- e) Harbor Management Plan Update; work will resume for review of Harbor Management Plan and any necessary updates.

6) New Business:

- a) Chairman Ortelli discussed the “Stugots”, the 1999 47 foot Cape Fear Sportfish of Sopranos fame is for sale.
- b) Commissioner Adelberg discussed the recent purchase of the Lighthouse and planned renovation.

7) Public Participation:

- Susan Halpern, 30 Elmcroft Road, expressed concerns regarding recent Zoning Board approval of proposal to convert BLT headquarters to multi-family

development and raised questions concerning proximity to any former hazardous waste sites. This application was not referred to the SHMC for review as required by statute. SHMC will discuss this matter with Zoning Board.

- Gary Silberberg stated he was pleased to hear that the Lighthouse has been purchased and will be renovated.
- Richard Warren reported that O&G is celebrating 100 years in business.

8) Next Scheduled Meeting: September 19, 2023, at 6:30 p.m.

9) Adjournment

- **Commissioner Karp made a motion to adjourn at 8:09 p.m.**
- **Commissioner Pensiero seconded the motion.**
- **Unanimously approved.**

DRAFT