

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

Date: August 7, 2023
Time: 5:30 p.m.
Location: Remotely on Zoom
Roll Call: In Attendance: Chairman Robert Karp; Commissioners Damian Ortelli, Sam Abernethy; and Paul Adelberg; Consultant Geoff Steadman and AAC Maria Vazquez-Goncalves.

1. The meeting was called to order by Committee Chairman Karp at approximately 5:39 p.m.
2. Review and Approval of July 10, 2023 Meeting Minutes.

**Commissioner Adelberg moved to approve June 5, 2023 Meeting Minutes.
Seconded by Commissioner Abernethy Unanimously Approved**

3. Referral of CSPR 1169 (Revised) – Samantha Lavy and Gad Lavy, 141 Downs Avenue, 0 Ralsey Road South & 1 Ralsey Road South, Stamford, CT. Applicant is proposing to renovate and lift the existing residence to FEMA compliance along with other site improvements, including modified landscaping, stormwater upgrades, construction of a pool, patio and hardscape modifications to adjust the driveway access from Downs Avenue to Ralsey Road South. Property is located within the CAM boundary. Meaghan Miles and Bill Hennessey, Carmody Torrance Sandak & Hennessey LLP, and Harry Rocheville were present to explain the project and answer questions on behalf of the applicant. A number of neighbors were also present to express opposition to the proposed project. Much discussion focused on the proposed new driveway access affecting the shared beach lot located immediately south of the applicant’s property. This beach lot provides pedestrian access to the shore and is privately owned by the applicant and the property owner immediately south of the lot. Neighbors have deeded rights to pass over and upon the beach lot to access the shore. Relevant policies of the Harbor Management Plan were discussed including policies concerning public access to the shore. There are currently unresolved differences between the applicant and neighbors concerning the extent of the neighbor’s deeded access rights to influence the proposed project with respect to the proposed new driveway.

Commissioner Robert Karp recused himself.

Commissioner Adelberg made a motion to recommend to the HMC that the HMC 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 HMC 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.

Seconded by Commissioner Abernethy Unanimously Approved

4. Referral of CSPR 1174 – Kevin Przypek on behalf of Mike Vitanza, 77 Kenilworth Drive West, Stamford, CT. Applicant is proposing the installation of a 22kw generator on an 8 foot deck to meet the FEMA flood zone regulations. Property is located within the CAM boundary. Mrs. Sue D’Elia, Super K Electric, applicant’s representative, was present to explain the project and answer questions.

Commissioner Ortelli made a motion to recommend to the HMC a finding of no objection provided the proposed project meets all FEMA requirements.

Seconded by Commissioner Adelberg Unanimously Approved

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

Commissioner Abernethy made a motion to recommend to the HMC a finding of consistency with the Harbor Management Plan with respect to the proposed text changes concerning substantial renovations and alterations in flood prone areas and no objection with respect to the other sections of the proposed text changes.

Seconded by Commissioner Adelberg Unanimously Approved

6. Referral of CSPR 1176 - Guiltec Development LLC, 95 Soundview Drive, Stamford, CT. Applicant is proposing to add a dormer to the second floor along with interior improvements. Property is located within the CAM boundary. Denis Guilfoyle, Guiltec Development, was present to explain the text change and answer questions.

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

Seconded by Commissioner Adelberg Unanimously Approved

7. Referral of CSPR 1175 - Edward G. Davis, on behalf of Mr. & Mrs. Robert Luton, 23 Ralsey Road South, Stamford, CT. Mr. Edward Davis, AIA Architect, was present to explain the project and answer questions. This project was tabled to next month.

8. Old Business:

- There was continued discussion of the observed work at the 14-acre site, including apparent filling and grading and the applicability of the Flood Prone Area Zoning Regulations (15.B & C). A representative of the owner has been invited to the HMC's August meeting to discuss this matter.
- Consultant Steadman reported on the legislative initiative to achieve amendments to the CT Harbor Management Act to clarify and uphold municipal harbor management authority. Discussions continue with DEEP to address the concerns of harbor management commissions throughout the state. DEEP has not responded to the most recent inquiries from the state association of harbor management commissions.
- SHMC – Application Review Process for Connecticut DEEP Permits - Flow Charts: no new update.
- SHMC – Application Review Process for Coastal Site Plan Approvals - Flow Charts: no new update.

9. **New Business:** It was noted that the Zoning Board recently approved a coastal site plan for work at the former Pitney Bowes headquarters building in the South End. Contrary to the established harbor management review process, the CSPR application was not referred by the Zoning Board to the HMC for review and comment. Mr. Steadman discussed this matter with the Land-Use Bureau and was informed that the Bureau did not believe the proposed project would affect the Harbor Management Area. The HMC will discuss this matter further with the Land Use Bureau and express its concern that the harbor management review process was not followed.

10. **Next scheduled meeting Monday, September 11, 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
August 10, 2023