

Stamford Harbor Management Commission - Applications Review Committee Draft Minutes

Date: August 2, 2021
Time: 5:30 p.m.
Location: Remotely on Zoom
Roll Call: In Attendance: Committee Chairman Robert Karp; Commissioner Damian Ortelli, Consultant Geoff Steadman and Acting Secretary Lesley Capp sitting in for Maria Vazquez-Goncalves, applicant representatives and members of the public.

1. The meeting was called to order by Committee Chairman Karp at approximately 5:32 p.m.
2. Review and Approval of July 12, 2021 Meeting Minutes.

Commissioner Ortelli moved to approve July 12, 2021 Meeting Minutes.

Seconded by Commissioner Karp

Unanimously Approved

3. **CT DEEP LWRD License Application Pre-Submission Consultation Form HMC - Anya Kishinevsky, 80 Davenport Drive, Stamford, CT.**

Applicant seeks a DEEP permit to authorize placement of additional stone along the existing revetment crest and place fill to level out low spots in the lawn to be coincident with existing high points and adjacent property grades to the north and south. The work includes placement of some revetment stone waterward of the Coastal Jurisdiction Line (CJL). Portions of the work have already been completed including the stone placement and re-grading.

Steve Sternberg, RACE Coastal Engineering, was present to explain the project and answer the Commissioners' questions.

Commissioners noted the HMC had previously expressed no objection to the proposed project when it was submitted to the HMC and DEEP in the form of a Certificate of Permission application. Mr. Sternberg stated that since that time, the proposed project has not changed but DEEP has determined that a full DEEP permit is needed to authorize the work and issue after-the-fact approval of the work already completed waterward of the CJL.

Commissioner Ortelli made a motion to recommend to the SHMC a finding of no objection to the pre-application plans being included in a permit application to DEEP, with the understanding that this expression of "no objection" should not be construed as a precedent for the SHMC to support after-the-fact approval of previously completed but unauthorized work in other instances, and that the SHMC reserves its right to continue to review the proposal.

Seconded by Commissioner Karp

Unanimously Approved

4. CT DEEP LWRD License Application Pre-Submission Consultation Form Shellfish Commission - Anya Kishinevsky, 80 Davenport Drive, Stamford, CT.

This is the same project as discussed in Item No. 3 above. Insofar as DEEP is now requiring the applicant to submit an application for a DEEP permit to approve this project, pre-application review with the SHMC acting in its capacity as the Stamford Shellfish Commission is also required. Commissioners agreed there would appear to be no impacts on shellfish resources and therefore, the same motion as for Item No. 3 is appropriate.

Commissioner Ortelli made a motion to recommend to the SHMC a finding of no objection to the pre-application plans being included in a permit application to DEEP, with the understanding that this expression of “no objection” should not be construed as a precedent for the SHMC to support after-the-fact approval of previously completed but unauthorized work in other instances, and that the SHMC reserves its right to continue to review the proposal.

Seconded by Commissioner Karp

Unanimously Approved

Before beginning the discussion of the *Old Business* items, Chairman Karp reported on the status of Zoning Board Application #221-01 - Sound Beach Landing LLC, 40 Signal Road, Stamford, CT - Text Change; and Zoning Board Application #221-02 - Sound Beach Landing LLC, 40 Signal Road and 0 Thread Needle Lane, Stamford, CT - Map Change. Although new information has been provided by the applicant, it was not received in time to place this application on the agenda for tonight’s meeting. Comments by Commissioners, the applicant’s representative, and members of the public concerned only the process and schedule for review. It was reported by the applicant’s representative that a Planning Board Public Hearing on the proposed Master Plan change is scheduled for August 31, 2021. Commissioners expressed concern that this schedule will not provide adequate time for review by the SHMC. Commissioner Ortelli will contact the Planning Board to express SHMC’s concern.

5. Old Business as may properly come before the Committee.

- a. Update on CHMA proposed amendment to CT Harbor Management Act and lobby effort.

Consultant Steadman updated the Commissioners on status of Town of Greenwich appeal of Superior Court decision affecting Harbor Management Commission authorities and efforts by Harbor Management Commissions to pursue amendment of CT Harbor Management Act to clarify existing authorities.

- b. SHMC - Application Review Process for Connecticut DEEP Permits - Flow Charts - Work in progress.

Consultant Steadman updated the Commissioners.

- e. SHMC - Application Review Process for Coastal Site Plan Approvals - Flow Charts - Work in progress.

Consultant Steadman updated the Commissioners who discussed possible amendment of procedures to allow expedited review of applications under certain circumstances when applications are determined to have minimal or no impacts on Harbor Management Area.

6. New Business as may properly come before the Committee.

No New Business.

7. Next scheduled meeting is Monday, September 13, 2021 at 5:30 p.m.

8. Adjourn.

Commissioner Ortelli made a motion to adjourn.

Seconded by Commissioner Karp

Unanimously Approved

Respectfully Submitted by:
Lesley Capp for Maria Vazquez-Goncalves
August 4, 2021

DRAFT