

**STATE OF CONNECTICUT
DEPARTMENT OF ENERGY AND ENVIRONMENTAL PROTECTION
OFFICE OF ADJUDICATIONS**

IN THE MATTER OF : **APPLICATION NO. 202109451-SDFWQ**
80 SEAVIEW AVE., LLC : **JANUARY 30, 2026**

HEARING OFFICER REPORT

**I.
PETITION FOR HEARING**

On September 19, 2025, the Office of Adjudications received a petition for a public hearing on the issuance of a permit to conduct work waterward of the coastal jurisdiction line in tidal, coastal, or navigable waters of the state to retain shoreline structures and seawalls and riprap for flood and erosion control, install two finger floats, and to change dock use to marine commercial and transient/public access. The petition was reviewed pursuant to Public Act 25-84, and the Office of Adjudications determined that this matter would proceed as an Informational Public Hearing. This report summarizes the public process that ensued in this matter.

**II.
HEARING AND COMMENTS**

The Informational Public Hearing was held on December 11, 2025, at 5:00 PM via Zoom. Presentations were made by the Department of Energy and Environmental Protection (DEEP) and the Applicant, 80 Seaview Ave., LLC. The opportunity for public comment followed, and the deadline for written comments was December 23, 2025. On January 30, 2026, DEEP staff issued a Corrected Comment Response Memorandum, which can be found attached to this report (hereinafter “Attachment I”).

**III.
CONCLUSION**



Connecticut
Department of Energy &
Environmental Protection

This is not a contested case, and this office will not issue a proposed or final decision. This report confirms the conclusion of the informational hearing process concerning the above-captioned application.

A handwritten signature in black ink that reads "Kathleen W. Reiser". The signature is written in a cursive style and is positioned above a solid horizontal line.

Kathleen Reiser
Hearing Officer

cc: Service List



Connecticut Department of Energy and Environmental Protection
Structures, Dredging and Fill Permit Application for
80 Seaview Ave., LLC
Application No. 202109451-SDFWQ
Response to Comments
January 30, 2026 (Corrected)

On August 20, 2025, the Connecticut Department of Energy and Environmental Protection ("DEEP") published a public notice of tentative determination to approve Application #202109451-SDFWQ. In the application, 80 Seaview Ave., LLC proposed to conduct work waterward of the coastal jurisdiction line in tidal, coastal or navigable waters of the state to retain shoreline structures and seawalls and riprap for flood and erosion control, install two finger floats, and to change dock use to marine commercial and transient/public access. The public comment period ended September 19, 2025. A petition for a hearing was received on September 19, 2025.

An informational public hearing was held on December 11, 2025, with comments received verbally on that day and in writing until December 23, 2025.

Comments were submitted from two entities, the East Norwalk Boating and Yacht Club and the Norwalk Harbor Management Commission. The verbal and written comments (bold and italicized) are grouped by entity and addressed below.

East Norwalk Boating and Yacht Club

Diane Granata, Commodore (Petitioner), verbal comments received at hearing
Gabe Dinoto, written comments received December 23, 2025

1. *A new business is being established.*

A new business is not being established, and the transient use has been removed from the final license based on revised plans submitted by the applicant. The existing authorized float use is for marine commercial purposes and the deck use is for public access. The dock slips that are not specifically for marina slip rental will be for recreational boating access.

2. *Parking concerns include congestion, flooding, pollution, and safety issue with pedestrians.*

DEEP Staff communicated with Tammy Maldonado, Norwalk Zoning Enforcement Officer, on numerous occasions while the application was being reviewed (including Ms. Maldonado's initial inquiry to DEEP regarding permitting for a new dining deck along the seawall). No outstanding zoning issues were identified by Ms. Maldonado. Any future parking lot improvements waterward of the coastal jurisdiction line would be regulated by DEEP and stormwater management would be part of such review.

3. *Marina office on public access deck uses public space.*

The public access deck is waterward of mean high water, in the public trust area. For that reason, the deck must be available for public access or other water-dependent purposes. A marina office is for a water-dependent use and acceptable in this situation.

4. Restrooms should be inspected by the health department.

The Licensee must obtain any other approvals required by applicable federal, state and local law.

5. Additional berthing slips will increase congestion.

Special conditions of any final permit will restrict berthing and vessel size and will require signage on the floats for clarity regarding where the restrictions apply.

6. Who will enforce permit restrictions?

Permit restrictions were developed and coordinated with DEEP's Land and Water Resources Division (LWRD) Enforcement Section staff and LWRD will be responsible for compliance with permit-specific conditions. Any complaints should be submitted to: [LWRD Enforcement \(ct.gov\)](http://LWRD.Enforcement.ct.gov)

Norwalk Harbor Management Commission

John Pinto, verbal comments received at hearing and written comments received/dated December 23, 2025

1. The pre-existing encroachment of the Applicant's docks into the extended littoral area of the City of Norwalk at First Street on the south side of the Applicant's property is inconsistent with policy 5(c) on page 4-11 in the Harbor Management Plan.

Although the dock encroachment at this location pre-dates 1980 and was previously authorized pursuant to COP-97-983-KZ, the applicant has agreed to eliminate the floats. The floats and the public transient slips they would have provided will be removed from the final license. The applicant provided the Department with revised plans that show these changes, see Figure 4, below.

2. The Applicant's proposed use of the encroaching docks for commercial purposes (for transient boaters) in the extension of the City's First Street right-of-way also is inconsistent with policy 5(c) on page 4-11 in the Harbor Management Plan.

The applicant has agreed to eliminate the floats. The floats and the public transient slips they would have provided will be removed from the final license.

3. The lack of any proposed "set-back" distance between vessels anticipated to use the Applicant's proposed rental boat slips and the federal anchorage boundary is inconsistent with policy 1(d) on page 4-8 in the Harbor Management Plan.

The license and plans will be revised to prohibit any new vessel berthing in the anchorage boundary setback. The vessel size will be limited to a length of 12' or shorter. An existing, authorized encroachment will remain.

