

CONNECTICUT RIVER GATEWAY COMMISSION

REGULAR MEETING MINUTES

February 28, 2013

Present/Absent: [Excused (E); Unexcused (A)]

Chester:	Margaret (Peggy) Wilson, Martha Wallace
Deep River:	Nancy Fischbach, Amy Petrone (A)
East Haddam:	Harvey Thomas, Emmett Lyman
Essex:	Claire Matthews, Wally Schieferdecker
Fenwick:	<i>Ethel Davies, Borough Warden (exc)</i>
Haddam:	<i>Susan Bement (E), Derek Turner (A)</i>
Lyme:	J. Melvin Woody, Lisa Niccolai
Old Lyme:	Peter Cable, Suzanne Thompson (E)
Old Saybrook:	Madge Fish, Belinda Ahern (E)
Midstate RPA:	<i>Raul Debrigard (A), Stasia DeMichele (E)</i>
CRERPA:	Two vacancies
DEEP:	David Blatt
Staff:	J. H. Torrance Downes
Guests:	None present.

Call to Order

Chairman **Woody** called the regular meeting of the Connecticut River Gateway Commission to order at RiverCOG offices located at 145 Dennison Road, Essex at 7:33p.

Approval of 1/24/13 Regular Meeting Minutes

Motion to approve minutes by **Fischbach**, seconded by **Wilson**, approved unanimously.

1. Goodspeed Airport, East Haddam, Visual Buffer Proposal. At the request of Atty Campbell Hudson, Downes emailed Beth Brothers regarding whether or not there is an update on submission of the request of consideration for the Goodspeed scenic easement by the Board responsible for recommendations. Beth's reply email: [Hi Torrance: Unfortunately, the R&NHT Reviewers have not met. I should have a decision for you within the next six weeks.](#) Hudson was included in the email communications.
2. Essex Standards Adoption. On Tuesday, January 29, 2013, the subcommittee met to discuss the Gateway standards for Essex. Present were Nancy Fischbach, Claire Matthews, Wally Schieferdecker, Al Wolfgram, Larry Shipman and JHTD. Fischbach will report on the status.
3. Business Cards and "Novelty" Items. JHTD purchased GW business cards (\$13.49), five tote bags with the Gateway logo (\$10.50 ea, \$52.49) and three GW logo coffee mugs (\$5.50 ea, \$16.49). JHTD to ask if such items are of interest for the display table at the March 23rd CLCC conference at Wesleyan University. **Commission decided to consider such items for the River Cruise which was decided to occur on Thursday, June 13, 2013. Commission indicated that JHTD should be reimbursed for the items purchased as well as for entry fees for the 2012 summer fairs in Lyme, Chester and Haddam. JHTD to provide a report of expenses for reimbursement.**
4. Annual Conference CT Assoc. of Wetland Scientists
Thursday March 21st, Reg. Deadline 3/15/13. Flyer included as a part of Items of Interest report.
5. Development at "Otfinoski" Property, Chester.
Special Exception will be sought for a residential structure that requires no variances. JHTD has met with the Point

One architect to discuss retention of trees and other vegetation and the possibility of the planting of a riparian buffer. Owner was contacted in 2011 when property was purchased in; Mission Booklet sent. Consistent design. To be discussed at meeting.

6. Merrill Lynch invitation to discussion of the “2012 Bank of America Study of High Net Worth Philanthropy”. Tuesday, March 26, 2013, Water’s Edge Resort, Westbrook. Invitation card available for review at meeting.

Treasurer’s Report

Wilson reported on a finance committee meeting held on February 20, 2013. Attendees included **Wilson, Thomas, Turner** and Liz David of Merrill Lynch. It was reported that the investment portfolio had increased by 10.5% over the 2012 calendar year. The portfolio was up another 2% in January, 2013 alone. The “managed account” has since an increase in value of 30% since 2006 while the “operating account” has seen an increase of 12.5% since 2010. The overall balance of equities to fixed is 50/50 overall. No changes were instituted as a result of the February 20, 2013 meeting. **Thomas** made the statement that the performance of the portfolio is no guarantee of future performance.

Wilson presented a bill for \$600 from Lewitz Baloise et al for audit discussion conducted by Auditor Joe Wollack. A bill from the LCRVCOG in the amount of \$1,921.33 was presented as well (22 hours, JHTD; 1 hour, DP; balance is overhead). Motion to pay bills made by **Fischbach**, seconded by **Thomas** passed unanimously.

Following a discussion of expenses, a motion was made by **Fischbach**, seconded by **Matthews** to allow expenses under \$100 paid by Gateway members to be reimbursed by an approval of two members of the Executive Committee.

Schieferdecker asked for an update on the additional premium requested by Alliant Insurance. Downes explained the additional premium request was based upon confusion regarding the new location of LCRVCOG offices. The additional premium request was withdrawn when it was pointed out that LCRVCOG operated out of the *new* location and didn’t retain access to the original location.

Referrals for Commission Action

1. Haddam, Petition to amend zoning regulations with respect to requirements for Special Permits, Site Plans and Bonding requirements. Downes reported that the proposal was consistent with Gateway protective mission and suggested that an additional paragraph be added that highlighted the need for consistency with the Gateway mission and standards. The additional paragraph, it was said, placed no additional requirements on either an applicant or the Haddam P&Z. The petition was “approved” by Gateway pursuant to Section 25-102g CGS with the request to include the additional language.

Staff Actions

1. Fenwick, 110 Sequassen Avenue. Reconstruction and enlargement of a two-story deck located on the Long Island Sound side of a residential structure. The structure is located several hundred yards to the west of the jetties at the mouth of the river. No impact.
2. Essex, 15 Book Hill Road. Construction of a 1,152sf one-story garage in a setback. Property is located a significant distance inland from the base of Falls River Cove. The proposed location is surrounded by trees and is hidden behind the existing residential structure. No impact.
3. Old Saybrook/Saybrook Point, 24 North Cove Road. Located on the western side of Saybrook Point north of College Street in a location that all but unseen from North Cove and is totally blocked from view from the CT River. No impact.

Discussion of the Adoption of the 2004 Gateway Standards by the Town of Essex

Fischbach requested that the agenda heading for this subject should read “Adoption of Essex Standards”.

Fischbach reported on January 29, 2013, a productive meeting was held at LCRVCOG offices. The meeting was

attended by Essex Zoning Commission members Al Wolfram (Chairman) and Larry Shipman, Gateway vice chair Fischbach, Essex representatives **Schieferdecker** and **Matthews**, and GW staff Downes. Wolfram reiterated that the petition must be presented by the Gateway Commission so that the Zoning Commission can remain “neutral” in the process. Several suggestions were discussed including the amending of language regarding the five (5) foot pathway to access the river through the riparian buffer to clarify the anti-erosion intent of the standards. The committee also discussed the need for variance referrals when applications sought relief of the 7.5% ground coverage maximum in the village area. Such referrals to Gateway wouldn’t save time as the application still had to go before the ZBA, and such variance requests are almost always presented with the conclusion that GW would likely not oppose the granting of such variances, the approval of which would likely not impact the visual bulk within the village to any significant degree. **Fischbach** suggested that if such a “waiver” is desired, it could be considered.

Matthews requested clarification regarding the ramifications of a Special Permit vs a Site Plan process. Downes explained the differences.

Fischbach reported that the Zoning Commission has reiterated their desire to handle Gateway applications through a Site Plan process rather than through a Special Permit process. She indicated that she was appointed to Gateway immediately following the decision of GW to include the Special Permit requirement in the 2004 standards and indicated that she doesn’t feel the need for Special Permits in *all* situations. Perhaps they’d be necessary for particularly visible or sensitive locations, but not for properties that aren’t significantly visible or are further away from the water. If the GW standard was modified to make Site Plan review available under particular circumstances, it’d have to be offered to all eight member towns. One downside is that strong local Commissions may operate through Site Plan review effectively, but a weaker Commission may be vulnerable to difficulties. The effectiveness of local Commissions cannot be predicted, however.

One suggestion offered stated that perhaps a pre-application meeting with GW staff could provide input necessary for a local Commission to decide whether a Special Permit was warranted or not. Another suggestion might be a relaxation of requirements when the visual bulk is separated through numerous structures (the 4,000 square foot Special Permit cutoff is based upon *total* floor area on a lot whether in one or multiple buildings).

Fish, as the vice chair of the Old Saybrook Zoning Commission and a former chair, reiterated that there were some “naysayers” when the 2004 standards were adopted, but in practice there has been very little complaint about the Commission’s process or decisions.

Discussion turned to “reconstruction” within the 100 foot Gateway setback. Both **Matthews** and **Schieferdecker** indicated that there was a “double-negative” in the language that confused what the intent of the regulation. The question was, if a nonconforming structure located within the setback was damaged by “casualty”, does the Gateway standard allow for reconstruction or would a variance be needed. **Fischbach** explained zoning law regarding the reconstruction of nonconformities after “casualties” and said that language elsewhere in the local regulations would allow such reconstruction. It was agreed that Gateway could craft clarifying language regarding this issue that could be included in the Gateway standard. Such clarification would state that in the event of a casualty loss, the damaged structure could be reestablished to the extent it existed prior to the casualty without variances. Any *enlargement* however, *would* require variances like is always the case.

Wallace asked if the concept of “developed area” was understood by the Zoning Commission. **Fischbach** said that the issue was explained including the advantage it is to retain the ability to declare areas as “developed” with respect to the requirement for a 50 foot riparian buffer.

The committee is scheduled to meet again in April prior to the April Gateway meeting on Thursday, April 25th. The Gateway Commission will be updated on progress at that meeting.

Committee Reports

Rules & Procedures. **Fischbach** reported that the Rules subcommittee worked on the Procedures and Policies Manual prior to the Gateway meeting. The proposed changes were briefly reviewed with the entire Commission. A question raised concerned whether or not term limits should be applied to officers of the Commission. Members briefly discussed the pros and cons of term limits. Proposed modifications will be presented to the Commission at their March meeting (**Fischbach** will not be in attendance).

Outreach. The Commission discussed whether or not the annual boat trip was reaching the people who Gateway feels should be educated about GW activities. Question was raised whether or not the trip should occur every *other* year. Suggestion was made that perhaps GW could convene a “field” meeting at Gillette Castle or a similar location. Members felt that having people see the Gateway Zone from the river was important. It was suggested that in addition to the numerous mail and email communications with potential attendees, members should make a greater effort to directly speak to those who they feel should be aboard. After further discussion, it was concluded that the trip should occur on Thursday, June 13, 2013. Captain Yuknat will be contacted to reserve that evening for the trip.

A discussion was held regarding promotional items purchased by Downes, potentially to include on the table at the March 23rd Wesleyan conference. Items included “tote” bags and coffee mugs with the Gateway logo on them. Members suggested the possibility of having plastic “glasses” inscribed with the GW logo as a gift on the river trip. Downes to look into the possibility. No items were determined to be necessary for the March workshop.

Old Business

None.

New Business:

None.

Adjournment

Upon motion by **Cable**, seconded by **Wilson**, and passed unanimously, the meeting adjourned at 9:05p.